



*Planning Commission Meeting
(Possible Quorum of the Council)*

Date: Wednesday, March 21, 2018
Time: **6:30 – 9:00 p.m.**
Location: Council Chambers, 680 Greenwood Street
Contact: Jordan Cogburn, 541-998-2153

A G E N D A

1. Open Meeting and Pledge of Allegiance
2. Review Agenda
3. Public Comment (for items not already on the agenda)
4. Approval of Minutes
 - January 17, 2018
5. Action Items (Request action by Planning Commission)
 - a) MP-18-01 – Keith Corp Preliminary Partition
6. Planning Activity Report
7. Planning Commission Agenda Forecaster
8. Commissioner Comments
9. Adjournment

*Next Standing April 18, 2018 – Check with City for changes
Location is wheelchair accessible (WCA)*
THIS MEETING WILL BE RECORDED

I. PUBLIC HEARING PROCESS

Public Hearings will be conducted as follows:

1. Open Public Hearing
2. Declaration of Conflict of Interest, Bias, Ex Parte Contacts, and Challenges to Impartiality
3. Staff Report
4. Applicant's Presentation
5. Proponents
6. Opponents
7. Neutral Parties
8. Rebuttal of Testimony
9. Questions from the Planning Commission
10. Staff Summary
11. Close of Public Hearing
12. Deliberation and Decision by the Planning Commission

If you provide testimony, please state your name and address for the record. Testimony and evidence must be directed toward the applicable substantive criteria or other criteria believed to apply to the decision.

If you would like an opportunity to present additional evidence, arguments or testimony regarding the application at a later date, you may request during the hearing that the Planning Commission hold the record open.

Helpful Tips When Speaking Before the Planning Commission

Before the meeting begins, give a copy of any written materials to the Planning Secretary.

Please speak clearly keep in mind the meetings are recorded.

Before beginning your statement say your name and address for the record.

Speak to the Commission through the Chairperson. For example, "Mr. /Ms. Chair, members of the Commission ..."

In order to give everyone the opportunity to speak the Planning Commission may set a time limit. Out of courtesy to citizens speaking after you, please respect the time limit.

The Junction City Planning Commission met on Wednesday, January 17, 2018 at 6:30 p.m. in the Council Chambers at City Hall, 680 Greenwood Street, Junction City Oregon.

Present were: Planning Commissioners, Stuart Holderby (Chair), Ken Wells, Shaylor Scalf, Patricia Phelan, Jeff Haag, James Hukill (Vice-Chair), and Sandra Dunn; Planning Commission Alternate Alicia Beymer; City Planner, Jordan Cogburn; and Secretary, Tere Andrews.

Absent: None

1. OPEN MEETING AND REVIEW AGENDA

Chair Holderby opened the meeting at 6:30 pm and led the Pledge of Allegiance.

2. CHANGES TO THE AGENDA

None

3. PUBLIC COMMENT (FOR ITEMS NOT ALREADY ON THE AGENDA)

None

4. APPROVAL OF MINUTES

- December 20, 2017

Motion: Commissioner Scalf made a motion to approve the revised December 20, 2017 minutes as written. Commissioner Dunn seconded the motion.

Vote: Passed by a vote of 6:0:1. Chair Holderby, Commissioners, Dunn, Scalf, Wells, Hukill, and Phelan voted in favor. Commissioner Haag abstained as he was not present at the December 20, 2017 meeting.

5. PUBLIC HEARING: AMD-17-02 – BOARDING, ROOMING, AND LODGING HOUSE IN THE C2 (CENTRAL COMMERCIAL) ZONE

Chair Holderby opened the public hearing for AMD-17-02. He asked the Commission if they had any bias, conflicts of interest, or ex parte contacts.

There were none. Commissioner Scalf noted he visited areas in the C2 zone in order to educate himself on the proposal.

Planner Cogburn stated the applicant, Corey Walker proposed Code Text Amendments to the Junction City Municipal Code (JCMC), Title 17, Chapters 17.05 – Introduction and Definitions, and 17.30 – Central Commercial Zone (C2).

The proposed amendments re-defined Boarding, Lodging, and Rooming House as buildings that lodged not more than two adults per bedroom, with or without meals.

The proposed language allowed Boarding, Lodging, and Rooming Houses in the Central Commercial Zone (C2) as Conditional Uses, and further defined the use as limited to an existing stick built, residentially used structure with existing shower and kitchen.

Commissioner Haag asked about the reason for stick built and a shower and kitchen.

Commissioner Phelan asked if the proposed amendment fit with the City vision for the downtown area.

Planner Cogburn stated the city's comp plan certainly looked to having affordable housing.

Commissioner Phelan asked if it only applied to C2.

Planner Cogburn stated as proposed, and with existing language in the code, the Conditional Use could apply to any commercial zone.

Commissioner Phelan expressed concern about the proposed language and the effect that might have on available inventory of commercial spaces. She asked if a home in the C2 had been used as an allowable business, then went out of business, the building could then become a boarding house.

Commissioner Scalf commented that the State Building Codes had their own provisions regarding a Change of Use in a building. He then asked if the Police Department had been asked about the potential for an increase in crime with this type of housing.

Planner Cogburn replied, not at this time.

Chair Holderby commented there was quite a bit of 2nd floor residential housing in the downtown area already.

Commissioner Phelan expressed concern about parking.

Commissioner Haag asked about the stick built home requirement. If it were to be allowed, it should be available to buildings other than a residential stick built home. He suggested that provision was not needed. The fact that it would be a conditional use process offered protections.

Commissioner Haag asked Planner Cogburn if he would have written it the same.

Planner Cogburn responded that in such an instance, it would be under the direction of the Planning Commission. The level of research would have been the same, just under the direction of the Planning Commission.

Chair Holderby said construction of a new boarding house would be more costly than an apartment complex. He felt there was an opportunity to use existing structures.

Commissioner Haag felt the proposed language was too restrictive.

Planner Cogburn added the code currently allowed for residential uses above the ground level in C2 zones.

Commissioner Phelan expressed concern about the impact of too many people living in tight quarters.

The Commission held a discussion which included the number of occupants, the definition that included the term 'stick-built', and the conditional use review process and how to craft measurable standards, such as the appropriate number of rooms.

Chair Holderby recapped the discussion, the Commission was basically comfortable with the language minus the sentence which contained reference to "stick-built" structures with prior residential use.

Commissioner Haag suggested the definition be something such as minimum bedroom square footage was 100 sq. ft. per bedroom.

Chair Holderby stated the State Building Code minimum bedroom size was 70 sq. ft.

Testimony

Proponent

The applicant's representative, John Gambie, 264 W 6th Avenue, Junction City Oregon 97448, thanked the Commission for their time. He explained the issue first came about in June, it was kicked around at the Council level. In August it was kicked to the Planning Commission by the City Council. It came to the Planning Commission in October, 2017. At that time, the Planning Commission directed staff to bring back more information. The applicant, Corey Walker, submitted an application and paid the fee. In all that time, from June to September, the language was proposed as written because they took into account comments they heard at various meetings. The reason the term 'stick-built' was included, was that it limited the use to 12 buildings in the C2 zone. He agreed with comments from Commissioner Haag. At some point there had been another boarding house in

what is now the C2 zone, at 467 Front Street. He said there were 25 people who benefited from the existing boarding house.

Opponents

There were none.

Neutral Parties

Cheryl Glasser 770 Spruce Street, Junction City Oregon 97448 expressed concern about the health and welfare of children who might live in a boarding house.

The Commission held a brief discussion about children living in a boarding house. The commission consensus was that children should be included.

Chair Holderby asked Planner Cogburn if he saw any sort of a sticking point with the question about children in boarding houses as it related to the proposed language which limited the number of adults to two per bedroom.

Planner Cogburn responded that the proposed standard of two adults in each bedroom was not an enforceable code provision. There was no way for the City to see that as a check in terms of the objective processes at the Planning Commission level for a Type II Conditional Use. In regard to Building Code issues, the State already mandated the square footage per person, per bedroom, that included children. Additionally, going further, Lane County Health and Safety would also have an opportunity to get involved. What he was hearing was that the Commission was comfortable with the use as a Conditional Use. The language in regard to stick-built versus non-stick-built did not seem to resonate with the Commission. He also heard the Commission had trouble with the two adults per bedroom. He suggested the use be permitted as a Conditional Use, no additional language. The Commission might be interested in the definition used by the City of Lincoln City. Their definition for Boarding/Lodging/Rooming Houses was: *Boarding, Lodging, and Rooming Houses meant a building or portion thereof, other than a hotel, where meals and/or lodging were provided for compensation, for five or more persons that were not temporary occupants.* It provided an objective standard from which a Planning Commission decision could be made.

Chair Holderby added that was fine if that was the direction the Planning Commission wished to go however, he did not see a problem with the limitation of two adults per bedroom.

Commissioner Haag did not either. He did not like language about the structure having to be stick-built with existing kitchen, or shower, and had to have been a

residence at some point in its life. That language would not help anyone who wanted to establish a boarding or rooming house.

Chair Holderby asked Commissioner Haag how he felt about striking that language. As proposed it would be a conditional use which meant the Planning Commission would have the opportunity to review each such proposal.

Commissioner Haag responded that made sense.

Commissioner Scalf agreed.

Commission Alternate Beymer asked Planner Cogburn to read the Lincoln City definition again.

Deliberations

The Commission was ready to move into deliberations, Chair Holderby closed the public hearing for AMD-17-02.

Planner Cogburn reread the Lincoln City definition of a boarding/rooming/lodging house. *“Boarding, Lodging, and Rooming Houses meant a building or portion thereof, other than a hotel, where meals and/or lodging were provided for compensation, for five or more persons that were not temporary occupants.”*

Commissioners Haag and Scalf noted that it offered some type of measurable standard for review of a conditional use permit, and it still needed to meet Oregon Building Codes.

Chair Holderby asked the Commission if they saw any drawbacks to what they were proposing.

They saw none.

Chair Holderby asked the Commission for clarification on what language they wanted changed from the applicant’s proposal.

Commissioner Haag replied, Lincoln City.

Planner Cogburn offered to read it for the record, if that was what the Commission wanted.

Commissioners responded in the affirmative.

Planner Cogburn reread the Lincoln City definition of a boarding/rooming/lodging houses. *“Boarding, Lodging, and Rooming House meant a building or portion*

thereof, other than a hotel, where meals and/or lodging were provided for compensation, for five or more persons that were not temporary occupants.”

It would amend Junction City Municipal Code Chapter 17.05.020, the current definition of rooming/boarding/lodging houses. The Commission proposed it be replaced with “Boarding, lodging, rooming houses meant a building or portion thereof, other than a hotel, where meals and/or lodging were provided for compensation, for five or more persons that were not temporary occupants.”

Planner Cogburn asked the Commission for confirmation of his understanding of their direction in regard to the portion of Exhibit A that dealt with JCMC 17.30.030, Conditional Uses. The second sentence proposed by the applicant, *“In the C2 Zone the definition is further limited to any stick built home that has had a residential use in its lifetime with an existing shower and kitchen.”* That would be removed.

Commissioners gave verbal indications that was correct.

Motion: Commission Haag make a motion to recommend to the City Council the proposed Zoning Text Amendment initiated by the applicant; file # AMD-17-02 based on the amended findings as stated in the Final Order. Commissioner Hukill seconded the motion.

Vote: Passed by a vote of 6:1:0. Chair Holderby, Commissioners, Haag, Dunn, Scalf, Wells, and Hukill voted in favor. Commissioner Phelan voted against.

6. PLANNING ACTIVITY REPORT

Planner Cogburn reviewed the Planning Activity Report with the Commission.

7. COMMISSION AGENDA FORECASTER

The Commission reviewed the agenda forecaster.

8. COMMISSIONER COMMENTS

None

9. ADJOURNMENT

Motion: Commissioner Scalf made a motion to adjourn the meeting. Commissioner Beymer seconded the motion.

Vote: Passed by a vote of 7:0:0. Chair Holderby, Commissioners, Haag, Dunn, Scalf, Wells, Hukill, and Phelan voted in favor.

The meeting adjourned at 8:10 p.m.

The next scheduled Planning Commission meeting would be Wednesday February 20, 2018 at 6:30 p.m.

Respectfully Submitted,

Tere Andrews, Planning Secretary

Stuart Holderby, Chair

DRAFT

JUNCTION CITY PLANNING COMMISSION AGENDA ITEM SUMMARY



Keith Corp - Preliminary Minor Partition (MP-18-01)

Meeting Date: March 21, 2018
Department: Planning
www.junctioncityoregon.gov

Agenda Item Number: 5a
Staff Contact: Jordan Cogburn
Contact Telephone Number: 541.998.4763

ISSUE STATEMENT

The applicant is requesting a Preliminary Partition to divide an existing lot into two tax lots.

BACKGROUND

This is an application for a preliminary partition on an existing lot with frontage on Highway 99E and 99W in Junction City. This partition will divide one existing lot into two legal parcels. There are existing public utilities (i.e. fire hydrants, water, sanitary sewer, storm sewer) available near the subject property, and are being brought to the subject site by the current development directly adjacent to the south.

RELATED CITY POLICIES

16.05.030 (D)(3) Preliminary Partition

According to Section 16.05.030 (D)(3) of the Junction City Municipal Code, Approval. In the event the planning commission finds that the plan complies with the statutes of the state and with this and all ordinances of the city, it shall approve the plan and signify its action on the face thereof by appropriate signature of the commission. In the event the commission finds that the plan cannot be made to comply with such requirements, it shall disapprove the plan and signify its action in the same manner as in approval. The commission may make approval subject to conditions to be fulfilled by the petitioner.

PLANNING COMMISSION OPTIONS

- a. Approve the Preliminary Partition with conditions of approval and findings as written in the Proposed Final Order (MP-18-01).
- b. Approve the Preliminary Partition with changes to the conditions of approval and/or changes to the findings in the Proposed Final Order (MP-18-01).
- c. Deny the Preliminary Partition with findings supporting the denial.
- d. Continue the discussion of the proposed Preliminary Partition if more information is needed.

SUGGESTED MOTION

"I make a motion to (approve with conditions as stated in the final order / approve with conditions as modified by the Planning Commission / deny with findings / continue) the

Preliminary Partition for Tax Lot 2200 of Assessor's Map 15-04-29-00, File # MP-18-01."

ATTACHMENTS

- A. Staff Report
- B. Application Materials
- C. Draft Final Order Preliminary Minor Partition (MP-18-01)
- D. Preliminary Minor Partition Plan

FOR MORE INFORMATION

Staff Contact: Jordan Cogburn
Telephone: 541.998.4763
Staff E-Mail: jcogburn@ci.junction-city.or.us



FINDINGS OF THE PLANNING DEPARTMENT:

DEPARTMENT REVIEW FOR THE KEITH CORP MINOR PARTITION (MP-18-01)

Application Summary:

Preliminary Partition Plat to create two (2) Commercial parcels out of one (1) legal lot.

Owner(s):

Norman Family Properties, LLC, 93735 Strome Lane Junction City, OR 97448

Applicant(s):

TKC CCXXXVII. LLC, 4500 Cameron Valley Parkway, Suite 400, Charlotte, NC 28211, (704) 365-6000

Applicant(s) Representative:

Scott Morris, PE Olson & Morris, 380 Q Street Suite 200 Springfield, OR 97477 (541) 302-9790

Lead City Staff:

Jordan Cogburn, City Planner, Junction City Planning Department, (541) 998-4763

Subject Property/Zoning/Location:

Tax Lot 2200 of Assessor's Map 15-04-29-00, Zoned GC, General Commercial, located adjacent to the west of Highway 99E, east of 99W, and north of Highway 99S.

Relevant Dates:

Application originally submitted on January 24, 2018; deemed complete on February 12, 2018; final staff report issued on March 13, 2018.

Present Request:

This is an application for a preliminary Minor Partition on Highway 99E in the City of Junction City.

Public Notice and Referrals:

Request for Public Comment on the proposed development was sent to property owners within 300 feet of the subject site on February 27, 2018.

Nos public comments were received by the City as of the date of this report.

Referral comments on the application were requested from various affected service providers and City departments.

One (1) referral comment was received by the comment deadline:

- **Douglas Baumgartner, P.E., P.E, Development Review Coordinator, ODOT**
 - Tax lot 2200 has highway frontage on OR99E and OR99W and does not have frontage along any other roadways. The applicant is advised that the subject property's highway frontage on OR99W is access controlled as ODOT has acquired and owns access rights to the subject property. A proposed development on tax lot 2300, Junction City land use case DEV-17-03, has been approved for an access on OR99E with the condition that it also allows for tax lot 2200 to legally use this access by easement. This development has also applied for a grant of access on OR99W that, if approved, is also intended to allow access to tax lot 2200 by easement. If that grant of access is not approved then tax lot 2200 will have no rights to access OR99W and would need to apply for a grant of access that would in turn need to be approved by ODOT in order to obtain those rights. Due to the presence of access control along the OR99W property frontage, the applicant is advised to consider recording cross-over access easements to the newly partitioned properties with the County Assessor if the applicant desires to have legal access to OR99E. An ODOT Miscellaneous Permit must be obtained for any work that is to be performed in the highway right of way and for connection to state highway drainage facilities.

All referral comments received by the Planning Department on this application are included in the application file for reference, and addressed in the context of applicable approval criteria and standards in the following evaluation. Relevant application requirements and approval criteria are addressed at JCMC 16.05.030 Minor Partition Procedures, and JCMC 16.05.050 Platting and Mapping Standards.

General Property Information:

This is an application for a preliminary partition on an existing, platted lot with frontages on Highway 99W and 99E in Junction City. There is no current site address for the existing parcel. This partition will divide one existing lot into two legal parcels. There are no existing public utilities (i.e. fire hydrants, water, sanitary sewer, storm sewer) available adjacent to the subject property or within the public right-of-way.

The proposed partition will divide one existing lot into two proposed parcels. The site of this partition is located directly north of the Highway 99W and Highway 99E junction. There is no development planned with this preliminary partition process except for the creation of new lot lines.

Per Declaration of Private Utility and Access Easement 2017-046021 recorded September 15, 2017 the subject site has permanent non-exclusive right and easement over, under and across portion of Assessor's Map 15-04-29-00 Tax Lot 02300 for purpose of access, installation and maintenance of utilities and ingress egress. The proposed parcels will have access to Highway 99E via the access easement as illustrated in Exhibit D of the Declaration of Private Utility and Access Easement.

Evaluation:

The following findings demonstrate that the proposed tentative partition plan will comply with all applicable approval criteria and related standards as set forth in the Junction City Municipal Code (JCMC). The approval criteria and related standards are listed below in **bold**, with findings addressing

each. Various conditions of approval, final plat requirements, and informational items are included where appropriate.

Chapter 16.05 – Subdivisions

Section 16.05.030 – Minor Partition Procedure

(A) Application. An application shall be made by the person proposing the minor partition or his authorized agent or representative on a form prescribed by the city following procedures outlined in JCMC 17.150.070 and submitted to the secretary of the planning commission, together with a tracing and nine additional copies of a preliminary plan.

Scott Morris, PE, is the authorized representative for the applicant. This application is being submitted with a digital copy of the preliminary plan. Staff has waived the paper copy requirement. Therefore, this criterion has been satisfied.

(B) Drafting. The preliminary plan shall be legibly drawn to scale on sheets of tracing paper or cloth measuring 8 ½ by 11 inches. The scale will be 10, 20, 30, 40, 50, or 60 feet to the inch. The city superintendent of public works shall furnish such 8 ½ by 11-inch tracing sheets on request.

The preliminary plan has been drafted on 18" x 24" paper with a scale of 100 feet to the inch. A digital copy of the plan has been submitted for 8 ½ by 11 inch reproductions as needed. Therefore, the above criterion has been satisfied.

(C) Preliminary Plan Contents. The preliminary plan shall contain the following:

(1) The dimensions and parcel lines of all parcels.

The dimensions of the boundary and proposed parcel lines are shown on the attached plan.

(2) An accurate map describing the boundaries of all contiguous land in the same ownership as the area encompassed in the preliminary plan area.

The applicant owns Tax Lot 1301 to the north of the preliminary plan area and is shown on the attached preliminary partition plan vicinity map. However, the adjacent property to the north is outside the Junction City Urban Growth Boundary, and is not associated with this partition request. Therefore, this criterion has been satisfied.

(3) The date, north point and scale of the drawing, and sufficient legal description and dimensions of the land to define the boundary thereof and the assessor's account number.

The date of the survey, north arrow, engineer's scale, legal description, and assessor's number are noted on the attached plan. Therefore, this criterion has been satisfied.

(4) Name, address and telephone number of the owner, the partitioner and engineer or surveyor.

The address and phone number of the surveyor, Lawrence B. Olsen, is also included. However, the contact information for the applicant and owner are not shown on the plan. Therefore, the following condition is warranted:

- Prior to Final Plan approval, the applicant shall revise the plan to include the applicant and owner name, address, and telephone number as required by JCMC 16.05.030(C)(4).

(5) Location of property in relation to existing streets, name and present width of all streets and alleys, and proposed right-of-way lines for existing or projected streets as shown on the master street plan.

The attached preliminary plan includes a vicinity map that shows the property's location relative to the adjacent street network. In addition, the widths of the existing streets, Highway 99E and 99W, are called out on the plan. Therefore, this criterion has been satisfied.

(6) The layout of the parcels proposed and the dimensions of each, with a number within each proposed parcel.

Each of the three proposed parcels are labeled with a number and the dimensions of the parcel are shown on the plan.

(7) The location of each building or structure above ground. Dimension distance to parcel lines being created.

The subject property is currently undeveloped. Therefore, this criterion is not applicable.

(8) The width and location of all easements for drainage or public utilities.

An existing 10 foot wide underground Communications Easement, reception #87-16388, is shown on the preliminary plan. However, Junction City Water Control Easement #1979-026880, and Northwest Pacific Bell Telephone Company Easement #1987-016388 and 1987-011112 are not shown on the preliminary plan. Therefore, the following condition is warranted:

- Prior to Final Plan approval, the applicant shall revise the plan to show all existing easements as required by JCMC 16.05.030(C)(8).

(9) In addition, when all or a portion of the area encompassed in a minor partition application has not been previously included in a recorded plat (subdivision) of lots averaging a maximum of one-half acre each, the following information is also required:

(a) The affidavit of a surveyor who is an Oregon licensed land surveyor, and who prepared the preliminary plan for the area encompassed in the proposed partition.

(b) The names of all recorded subdivisions contiguous to the subject area.

(c) The elevations of all points used to determine contours; said points given to true elevation above mean sea level as determined by the city engineer. The base data used shall be clearly indicated and shall be compatible to city datum if bench marks are not adjacent. The following intervals are required:

Contour Intervals Ground Slope

One foot Up to 5 percent

Two feet Over 5 percent through 10 percent

Five feet Over 10 percent

(d) The approximate width and location of all proposed or existing public utility easements.

(e) The approximate location of areas subject to inundation or storm water overflow, all areas covered by water, and the location, width and direction of flow of all water courses.

(f) All proposals for sewage disposal, flood control, and easements or deeds for drainage land, including profiles of proposed drainageways.

(g) All public areas proposed to be dedicated by the partitioner and the proposed uses thereof. In this connection, the application is subject to the requirements pertaining to reserve strips as stipulated in Section [5(A) (3)] of this ordinance. Said reserve strips shall be clearly indicated on the proposed partition.

(h) All public improvements proposed to be made or installed, and the time within which such improvements are envisioned to be completed.

(i) A legal description of the boundaries of the entire area owned by the partitioner of which the proposed partition is a part; provided that where the proposed partition comprises all of such area, an affidavit of such fact shall accompany the application.

The plat was prepared by Larry Olson, PLS, an Oregon licensed land surveyor and his signature block indicates his review of, and affidavit, for this proposed minor partition.

There are no recorded plats that abut the property.

One foot contour intervals are shown on the attached preliminary plan based on LIDAR data derived from Oregon Department of Geology and Mineral Industries (DOGAMI).

There is an existing 10.0 foot wide underground communications easement per document number 87-16388 that encumbers the north eastern boundary line of the subject property as shown on the plan. Future development on the proposed parcels has permanent non-exclusive right and easement over, under and across portion of Assessor's Map 15-04-29-00 Tax Lot 02300 for purpose of access,

installation and maintenance of utilities per Declaration of Private Utility and Access Easement #2017-046021 recorded September 15, 2017.

The applicant is proposing to delay submittal of stormwater drainage and utility plans until building permit for development on Assessor's Map 15-04-29-00 Tax Lot 02300, the site located south of the subject property, has been received. Since the subject site and Tax Lot 02300 are currently undeveloped, drainage and utility plans submitted prior to development of Tax Lot 02300 may be inadequate and unsuitable. Upon receipt of site plans for Tax Lot 02300 the applicant will submit stormwater drainage and utility plans as required.

There are no areas proposed to be dedicated to the public within this minor partition including reserve strips.

No public improvements are proposed with this minor partition application.

A legal description was submitted as part of the preliminary partition plan application materials.

Based on this fact, the proposed partition complies with the criteria listed at JCMC 16.05.030(C)(9)(a) – (i).

(D) Preliminary Plan Review.

(1) City Superintendent of Public Works Review. The superintendent of public works shall review the preliminary plan and forward any comments he may have about the plan and send the original plan and seven copies to the planning commission for action, retaining one copy for his file.

The applicant understands that city staff will first review the preliminary partition plan prior to the Planning Commission deliberating and rendering a decision. No comments have been received from the Public Work Superintendent as of the date of this report.

(2) Planning Commission Review.

(a) The planning commission shall approve the plan or ask for further information from the partitioner.

The applicant understands that the Planning Commission is the approval authority for minor partitions in the City of Junction City.

(b) Approval findings. Approval of the plan must include affirmative findings that:

(i) Approval does not impede the future best use of the remainder of the property under the same ownership or adversely affect the safe and healthful development of such remainder of any adjoining land or access thereto.

The owner, Norman Family Properties, LLC, owns the adjacent parcel to the north (Tax Lot 1301). This partition application will not impede the future best use of Tax Lot 01301. Therefore, this approval criterion is met.

(ii) The minor partition complies with Junction City policies and plans as well as the intent and purpose of JCMC 16.05.010.

The subject property is zoned GC (General Commercial). There are no existing structures on this property. This partition would allow Commercial development on each individual lot and complies with the intent and purpose of the partition and subdivision ordinance.

(iii) Either:

(A) Improvements as required by the city and this code have been completed, and a certificate of fact has been filed with the planning department by the city engineer; or

(B) A performance agreement (bond), or suitable substitute, as agreed upon by the applicant and the city, has been filed with the city recorder in sufficient amount to insure the completion of all required improvements; or

(C) A petition for improvements has been properly executed by the partitioner who is effecting the partition and will be assessed for said improvements.

There are no proposed public improvements with this minor partition application. If the Planning Commission decides that a petition for future public improvements is required then the property owner will comply with such a condition of approval. This criterion is satisfied.

(iv) The minor partition tentative plan is accompanied by five accurate copies thereof; and

Three copies of the preliminary partition plan have been submitted with the application along with a digital copy in order to meet this criterion.

(v) Public assessments, liens, utility charges and fees with respect to the minor partition area have been paid, or a segregation of assessments and liens has been applied for and granted by the council. Except as provided for in the procedures for modification as stipulated in JCMC 16.05.070, approval as stipulated herein does not relieve the applicant from other applicable provisions of this ordinance or Oregon Revised Statutes.

No public assessments, liens, utility charges, or other fees are known to exist with respect to this property. This criterion is not applicable. However if any new fees or assessments are found, the owners shall pay the fees prior to recording the final plat.

(vi) Minor partition applications for land occupied by existing buildings shall show the location of buildings and give dimensions to existing and proposed lot lines.

No buildings currently exist on the subject site. Therefore, this criterion is not applicable.

(3) Approval. In the event the planning commission finds that the plan complies with the statutes of the state and with this and all ordinances of the city, it shall approve the plan and signify its action on the face thereof by appropriate signature of the commission. In the event the commission finds that the plan cannot be made to comply with such requirements, it shall disapprove the plan and signify its action in the same manner as in approval. The commission may make approval subject to conditions to be fulfilled by the petitioner.

The applicant understands that approval of the plan will be signified by a signature of the Planning Commission Chair on the final plat.

(4) Notification by Commission. When such a plan is approved, conditionally approved or disapproved by the commission, it shall forthwith deliver in person or by mail a copy of such plan with the action thereon to the person having filed the plan. Such action by the commission shall become final in the absence of any appeal. Copies of the plan with the action thereon shall be delivered to the Lane Council of Governments, and the commission shall retain the original copy thereof in the office of the city engineer.

The applicant understands that notification will be made of the Planning Commission decision.

(5) Unless appealed, the planning commission's decision shall become effective on the eleventh day after it is rendered.

The applicant understands that the Planning Commission decision will be effective on the eleventh day after the decision is issued.

(E) Appeal to the Council. If any person filing a minor partition plan is dissatisfied with the action of the planning commission, he may, no later than 12 days after such action by the commission, appeal in writing to the council and file same with the council.

The property owner/applicant understands that any possible appeal of the Planning Commission decision will be heard by the City Council.

(F) Limitation of Appeal. The conditional approval of such plan shall be valid for a period of one year from the date of final action thereon. During said period, all the conditions of approval shall be met. Such conditional approval may be extended for a period not to exceed one additional year by the council, upon written request; provided, such request is made prior to the expiration of the one-year period.

It is understood by the applicant that a minor partition approval is valid for one year.

(G) Ownership Verification of Dedications. In the event approval of a minor partition is conditioned upon the dedication of a portion of the area to the public, the applicant shall submit to the public works department a title report issued by a title insurance company licensed in the state of Oregon verifying ownership by the applicant of the real property that is to be dedicated to the public.

There are no proposed dedications with this proposed application; thus this requirement should not be applicable.

(H) Expedited Land Divisions. All applications for expedited land divisions shall comply with ORS 197.360 through 197.380 and the Junction City comprehensive plan. ORS 197.360 through 197.380 details criteria, application and notice requirements and action and appeal procedures for expedited land divisions.

This minor partition application is not being requested to be reviewed as an expedited land division; thus this standard does not apply.

Section 16.05.050 - Platting and Mapping Standards

(A) Streets.

Highway 99E and 99W are Oregon Department of Transportation owned and maintained streets. There are no new proposed public streets as part of this application. Therefore, this criterion is not applicable.

(B) Alleys.

No alleys are proposed with this partition application. Therefore, this criterion is not applicable.

(C) Blocks.

(1) Block length. Block length shall not exceed 600 feet. In residential and commercial zones, maximum block perimeter shall be 1,600 feet. The planning commission may allow exceptions where pedestrian pathways are utilized as mid-block connections between streets.

Highway 99E and 99W are existing public streets. No streets are proposed with this partition; thus the block length of both public streets will be unaffected.

(2) Street Connectivity. In order to promote efficient vehicular and pedestrian circulation throughout the city, land divisions and developments greater than two acres in size shall produce complete blocks bounded by a connecting network of public and/or private streets, in accordance with the following standards:

a. The proposed development shall include street connections in the direction of all existing or planned streets within one-quarter mile of the development

site. The proposed development shall also include street connections to any streets that abut, are adjacent to, or terminate at the development site.

b. The proposed development shall include streets that extend to undeveloped or partially developed land that is adjacent to the development site.

The subject site is 11.5 acres and subject to street connectivity standards. However, no new streets have been proposed as the access control to Highway 99E and 99W has been restricted by the Oregon Department of Transportation. Proposed Parcel 1 is adjacent to Highway 99 West on the west and proposed Parcel 2 is adjacent to Highway 99 East on the east. The parcels proposed to connect to Highway 99 East and Highway 99 West via the access easement as illustrated in Exhibit D of the Declaration of Private Utility and Access Easement #2017-046021, recorded September 15, 2017.

(3) Pedestrian ways. When necessary for public convenience and safety, the planning commission may require the partitioner or subdivider to dedicate to the public pedestrian ways 10 feet in width to connect to cul-de-sacs, to pass through oddly shaped or unusually long blocks, or to provide access to schools, parks, or other public areas, of such design and location as reasonably required to facilitate pedestrian travel.

There are no cul-de-sacs or parks adjacent to the proposed partition that would require the dedication of any pedestrian ways. Therefore, this criterion is not applicable.

(4) Easements for utilities. Dedication of easements for storm water sewers and for access there-to for maintenance, in order to safeguard the public against flood damage and the accumulation of surface water, and dedication of easements for sanitary sewers, and for access thereto for maintenance, and dedication of easements for other public or private utilities, may be required of the partitioner or subdivider by the planning commission along lot rear lines, lot side lines, or elsewhere as necessary to provide needed facilities for present or future development of the area in accordance with the purpose of this ordinance. Easements for utility lines shall be not less than 14 feet in width; except that, for an easement abutting land not in the partitioned or subdivision area, a lesser width may be allowed, in the description of the planning commission, where the petitioner or subdivider presents a satisfactory plan whereby such easement will be expanded to the width otherwise required.

There is an existing 10.0 foot wide public utility easement that encumbers the northeast boundary line of the subject property, as shown on the plan. Additional drainage and public utility easements are proposed to be a delayed submittal, as the building permit for development on Assessor's Map 15-04-29-00 Tax Lot 02300, the site located south of the subject property, had not been received at the time of the partition application submittal. Since the subject site and Tax Lot 02300 are currently undeveloped, drainage and utility plans submitted prior to development of Tax Lot 02300 may be inadequate and unsuitable. Upon receipt of site plans for Tax Lot 02300 the applicant will submit stormwater drainage and utility plans as required. As such, the following condition is warranted:

- Where required, easements for access and utilities shall be dedicated on the partition plat at the time of recording. All proposed easements shall meet Public Works width requirements.

(D) Perimeter Fences. Perimeter fences shall be required where rear yards abut an existing or planned street. The perimeter fence shall be sight-obscuring and at least 5 feet in height, and shall be setback at least 3 feet from the sidewalk or right-of-way. At least one deciduous shade tree (a minimum 2-inches in caliper at planting) shall be provided for each 50 lineal feet of street frontage. At the time of application review, the Planning Commission may also require additional subdivision perimeter fencing, retaining walls, or other perimeter treatment in order to address privacy, stormwater runoff, or other issues relating to compatibility with adjacent properties.

There are no existing or planned streets along the northern boundary of the subject site; thus no perimeter fence is required at this time.

(E) Lots. Lot sizes in mobile home subdivisions shall conform to the provisions of Chapter 17.100 JCMC, Mobile Homes, rather than this subsection (E).

(1) Size and frontage.

(a) General requirements.

(i) Width. Each lot shall have an average width between the lot side lines of not less than 60 feet. Each corner lot and each authorized key lot and butt lot shall have an average width between the lot side lines of not less than 65 feet.

Both of the parcels will have an average width well over 60 feet. Proposed parcels #1 and #2 will have an average widths of roughly 340 feet. The lot widths also comply with the minimum lot width of 60 feet per Section 17.10.030 of the JCMC.

(ii) Depth. Each lot shall have an average depth between the lot front line and the lot rear line of not less than 80 feet and not more than 2 ½ times the average width between the lot side lines. Each double frontage lot shall have an average depth between the lot front line and lot rear line of not less than 120 feet, unless a lesser depth is approved by the planning commission where necessitated by unusual topographic conditions.

Both of the parcels will have an average depth well over 80 feet. Proposed parcel #1 will have an average depth of 959.06 feet. Proposed parcels #2 will have average depth of 506.78 feet. Therefore, this standard has been met.

(iii) Area. Minimum lot area shall be in accord with requirements for the zoning district within which the lot is located.

The subject site is zoned GC (General Commercial). There is no minimum lot area standard requirements for property zoned GC. This standard has been met.

(iv) Frontage. Each lot shall have frontage of not less than 60 feet upon a street, except that a lot on the outer radius of a curved street or facing the circular end of a cul-de-sac shall have frontage of not less than 35 feet upon a street, measured on the arc.

Both proposed parcels show frontage in excess of the minimum standard at over 400 lineal feet per parcel. Furthermore, each lot will gain access to Highway 99E via the recorded private access easements that is located along the southern boundary of the proposed parcels. Therefore, this criterion has been adequately addressed.

(v) Reverse Frontage.

(A) Lots that front on more than one street shall be required to locate motor vehicle accesses on the street with lower functional classification.

(B) When a residential subdivision is proposed that would abut an arterial, it shall be designed to provide through lots along the arterial with access from a frontage road or interior local road. Access rights of these lots to the arterial shall be dedicated to the city and recorded with the deed (reserve strip.) A berm or buffer yard may be required at the rear of through lots to buffer residences from traffic on the arterial. The berm or buffer yard shall not be located within the public right-of-way.

None of the three proposed parcels are shown as reverse frontage lots. Therefore, these criteria are not applicable.

(b) Exceptions.

(i) Partitioned or subdivision area developed as a unit. The planning commission may, in its discretion, authorize relaxation of the parcel or lot size and frontage requirements specified herein where the partitioner or subdivider presents a plan satisfactory to the planning commission whereby the entire partitioned or subdivision area will be designed and developed with provision for proper maintenance of recreation and park area which will be commonly available for recreation and park purposes to the residents of the partitioned or subdivision area, and which the planning commission determines will be of such benefit to said residents as is equal to that which would be derived from observance of the parcel or lot size and frontage requirements otherwise specified, and will be in accordance with the purpose of this ordinance.

(ii) Land zoned for commercial or industrial use. The planning commission may, in its discretion, authorize relaxation of the parcel or lot size and frontage requirements specified herein in the case of land zoned for commercial use, where such relaxation is necessary in

consideration of the suitability of the land for such use, and in accordance with the purpose of this ordinance.

(iii) Parcel or lot retained for future partition or subdivision. The planning commission may, in its discretion, waive parcel or lot frontage requirements where, in its judgment, a parcel or lot should and will be retained by the partitioner or subdivider, and future partition or subdivision of such parcel or lot will be the highest and best use thereof, and such use will be best protected by the creation of a reserve strip separating such parcel or lot from any street.

All lot design standards (width, depth, area, and frontage) are met as shown in this report. No exceptions to the standards are being requested in this application; thus this criterion is not applicable.

(2) Key parcels or lots and butt parcels or lots. There shall be no key parcels or lots or butt parcels or lots, except where authorized by the planning commission here such parcels or lots are necessitated by unusual topographic conditions or previous adjacent layout.

There are no proposed key lots or parcels or butt lots or parcels, as required.

(3) Parcel and lot side lines. As far as is practicable, parcel and lot side lines shall run at right angles to the street upon which the parcels or lots face, except that on curved streets they shall be radial to the curve.

The parcel lot side lines are, as far as practical, at right angles to the street upon which the parcels face to the greatest extent possible.

(4) Suitability for intended use. All parcels and lots shall be suitable for the purpose for which they are intended to be used. No parcel or lot shall be of such size or design as to be detrimental to the health, safety, or sanitary needs of the residents of the partition or subdivision area or of such parcel or lot, as determined by the planning commission in accordance with the purpose of this ordinance.

All proposed parcels are large enough in area and suitable for Commercial development, as envisioned by the Junction City Comprehensive Plan and parent zoning. No parcel size will be detrimental to public health and safety.

(5) Future partitioning or subdivision of parcels or lots. Where the partition or subdivision will result in a parcel or lot ½ acre or larger in size which, in the judgment of the planning commission, is likely to be partitioned or subdivided in the future, the planning commission may require that the location of parcel or lot lines and other details of layout be such that future partition or subdivision may readily be made without violating the requirements of this ordinance and without interfering with orderly extension of adjacent streets. Any restriction of buildings within future street

locations shall be made a matter of record, if the planning commission deems it necessary for the purpose of future subdivision.

This preliminary partition application proposes the creation of two (2) parcels out of one (1) legal lot. The subject site is zoned GC (General Commercial). There is no minimum lot area standard requirements for property zoned GC. The applicant does not foresee future partitioning of Parcel 1 or Parcel 2. Therefore, the Planning Commission has discretion in determining compliance with the above standard.

(6) Panhandle lots. Panhandle lot configurations shall not be utilized in new subdivisions. The Planning Commission may authorize exceptions from frontage requirements for panhandle lots in the R1 and R2 zones, only in established neighborhoods, provided that the following standards, applicable to all panhandle lots, are met:

No Panhandle Lots are proposed as part of this application. Therefore, the criteria listed at 16.05.050(E)(6) are not applicable.

(F) Drainage. Where land in the partitioned or subdivision area is or will be periodically subject to accumulations of surface water or is traversed by any watercourse, channel, stream or creek, the planning commission may require the partitioner or subdivider to provide for adequate unrestricted drainage over drainage land by dedicating to the public easements therefore approved by the planning commission as adequate for the drainage needs of the area; or, where necessary, in the judgment of the planning commission, for protection of such needs, by conveying ownership of such drainage land for drainage purposes to the city.

The City of Junction City Local Wetland Inventory indicates that the subject property is not traversed by wetlands. The applicant is proposing to delay submittal of stormwater drainage and utility plans until building permit for development on Assessor's Map 15-04-29-00 Tax Lot 02300, the site located south of the subject property, has been received. A building permit application was received for Tax Lot 2300 on March 7, 2018. The Public Works Director has not issued any objection to the Planning Commission approving this request. Therefore, the Planning Commission has discretion in determining compliance with the above standard.

(G) Railroads.

There are no railroads adjacent to the proposed partition; thus this section is not applicable. Therefore, subsections under JCMC 16.05.050(G) do not apply.

(H) Partial development. Where the partitioned or subdivision area includes only a part of the tract owned by the partitioner or subdivider, the planning commission may require a sketch of a tentative layout of streets in the remainder of said tract.

Tax lot 01301 located north of the subject site is under the same ownership, Norman Family Properties, LLC. However, it is outside of Junction City's urban growth boundary. Therefore, future extension of City Streets is not likely.

(I) Recreational area. The planning commission, after council approval first having been obtained, may require, as a condition of approval of the subdivision, either:

(1) The dedication of land for park and recreational purpose of an amount equal to a ratio of not less than one acre of recreational area to every one hundred people of the ultimate population in the subdivision; or

(2) The payment to the city of a sum as established by the resolution adopting park systems development charges for each living unit permitted to be constructed within the subdivision. Payment of the charge shall be made at the time the building permit for construction of each living unit is issued by the city. The amount of the charge shall be that prescribed in the parks systems development resolution in effect at the time the individual permit is issued. In exercising the discretion of requiring the dedication of land or the payment of money, the commission shall consider recreational needs of the ultimate population of the subdivision and the extent to which a dedication of land under the above rate would fulfill those needs. All moneys received from the above provision shall be deposited in the recreational reserve area fund and shall be expended from that fund for the purpose of purchasing recreational land and making improvements thereof.

This application is for a minor partition and not a subdivision; thus this standard is not applicable.

(J) Building lots filled. All building lots shall be filled in accordance with accepted engineering practice. All fill shall be placed in accordance with Chapter 70 of Oregon Structural, Specialty and Fire and Life Safety Code.

The subject property is fairly flat and thus no fill is proposed for the building lots; however, if any fill is needed than it will be in compliance with accepted engineering practices and the Oregon Structural Specialty Code.

(K) Finish floor elevations. Finish floor elevations shall be established for all buildings on the final plat in accordance with elevations established by and for the city of Junction City.

The property owner and applicant understand this final plat standard.

(L) Utility access. All accesses to utilities are to be brought to finish grade.

The applicant understands this requirement. As such, all of the accesses to utilities when constructed shall be brought to finished grade.

Conclusion:

Based upon the available information, and the findings and conditions set forth above, it is concluded that the proposed Minor Partition (MP-18-01) complies with the applicable approval criteria and related standards set forth within the JCMC. Staff recommends Conditional Approval of the applicant's Minor Partition Application.

Planning Department Recommended Conditions of Approval:

1. Prior to Final Plan approval, the applicant shall revise the plan to include the applicant and owner name, address, and telephone number as required by JCMC 16.05.030(C)(4).
2. Prior to Final Plan approval, the applicant shall revise the plan to show all existing easements as required by JCMC 16.05.030(C)(8).
3. Where required, easements for access and utilities shall be dedicated on the partition plat at the time of recording. All proposed easements shall meet Public Works width requirements.
4. Prior to Final Plat Approval, the applicant shall record the plat with Lane County Deeds and Records and the County Surveyor.

For more information on the Planning Department conditions above, contact Jordan Cogburn, Junction City Planner at 541-988-4763, or by email at: jcogburn@ci.junction-city.or.us

Public Works Department Recommended Conditions of Approval:

1. All future development of the subject site shall be in conformance with the Junction City Public Works Design Standards.

For more information on the Public Works Department conditions above, contact Gary Kaping, Junction City Public Works Director at 541-988-3125, or by email at: gkaping@ci.junction-city.or.us

Staff Contact:

Jordan Cogburn, City Planner
jcogburn@ci.junction-city.or.us
(541) 998-4763

**FINAL ORDER OF THE
JUNCTION CITY PLANNING COMMISSION
MINOR PARTITION (MP-18-01), KEITH CORP**

A. The Junction City Planning Commission finds the following:

- a. TKC CCXXXVII. LLC has submitted an application and a preliminary partition plan on behalf of the owners, Norman Family Properties, LLC, as required by 16.05.030 (A) and (B) of the Junction City Municipal Code for the partition of tax lot 2200, assessor's map 15-04-29-00. The applicant proposes to divide the 11.4 acre (500,940sf) tax lot 2200 into two parcels of 3.98 acres (173,369sf), and 7.5 acres 326,700sf) in size.
- b. The Junction City Planning Commission reviewed all material relevant to the minor partition that were submitted or presented by the applicant, staff, other agencies, and the general public regarding this matter at the standing Planning Commission meeting on March 21, 2018.
- c. The Junction City Planning Commission followed the required procedure and standards of approving partitions as required by 16.05.030(D)(2) the Junction City Municipal Code.

B. Conditions of Approval:

1. Prior to Final Plan approval, the applicant shall revise the plan to include the applicant and owner name, address, and telephone number as required by JCMC 16.05.030(C)(4).
2. Prior to Final Plan approval, the applicant shall revise the plan to show all existing easements as required by JCMC 16.05.030(C)(8).
3. Where required, easements for access and utilities shall be dedicated on the partition plat at the time of recording. All proposed easements shall meet Public Works width requirements.
4. Prior to Final Plat Approval, the applicant shall record the plat with Lane County Deeds and Records and the County Surveyor.

C. IT IS HEREBY ORDERED THAT the Junction City Planning Commission approves the partition for Tax Lot 102 of Assessors' Map 16-04-05-00 with the conditions of approval listed above based on the following findings of fact. The findings of fact are based on the preliminary plat, which is attached.

The following FINDINGS demonstrate that the proposed preliminary partition, as conditioned **will comply with all applicable approval criteria and related standards, as set forth in JCMC Chapter 16.05. The application approval criteria and related standards are listed below in bold and *italic*, with FINDINGS addressing each**

standard, various conditions of approval, final plan requirements and informational items are included where appropriate.

Section 16.05.030 – Minor Partition Procedure

(A) Application. An application shall be made by the person proposing the minor partition or his authorized agent or representative on a form prescribed by the city following procedures outlined in JCMC 17.150.070 and submitted to the secretary of the planning commission, together with a tracing and nine additional copies of a preliminary plan.

FINDING: Scott Morris, PE, is the authorized representative for the applicant. This application is being submitted with a digital copy of the preliminary plan. Staff has waived the paper copy requirement. Therefore, this criterion has been satisfied.

(B) Drafting. The preliminary plan shall be legibly drawn to scale on sheets of tracing paper or cloth measuring 8 ½ by 11 inches. The scale will be 10, 20, 30, 40, 50, or 60 feet to the inch. The city superintendent of public works shall furnish such 8 ½ by 11-inch tracing sheets on request.

FINDING: The preliminary plan has been drafted on 18" x 24" paper with a scale of 100 feet to the inch. A digital copy of the plan has been submitted for 8 ½ by 11 inch reproductions as needed. Therefore, the above criterion has been satisfied.

(C) Preliminary Plan Contents. The preliminary plan shall contain the following:

(1) The dimensions and parcel lines of all parcels.

FINDING: The dimensions of the boundary and proposed parcel lines are shown on the attached plan.

(2) An accurate map describing the boundaries of all contiguous land in the same ownership as the area encompassed in the preliminary plan area.

FINDING: The applicant owns Tax Lot 1301 to the north of the preliminary plan area and is shown on the attached preliminary partition plan vicinity map. However, the adjacent property to the north is outside the Junction City Urban Growth Boundary, and is not associated with this partition request. Therefore, this criterion has been satisfied.

(3) The date, north point and scale of the drawing, and sufficient legal description and dimensions of the land to

define the boundary thereof and the assessor's account number.

FINDING: The date of the survey, north arrow, engineer's scale, sufficient description, and assessor's number are noted on the attached plan.

(4) Name, address and telephone number of the owner, the partitioner and engineer or surveyor.

FINDING: The address and phone number of the surveyor, Lawrence B. Olsen, is also included. However, the contact information for the applicant and owner are not shown on the plan. Therefore, the following condition is warranted:

- Prior to Final Plan approval, the applicant shall revise the plan to include the applicant and owner name, address, and telephone number as required by JCMC 16.05.030(C)(4).

(5) Location of property in relation to existing streets, name and present width of all streets and alleys, and proposed right-of-way lines for existing or projected streets as shown on the master street plan.

FINDING: The attached preliminary plan includes a vicinity map that shows the property's location relative to the adjacent street network. In addition, the widths of the existing streets, Highway 99E and 99W, are called out on the plan. Therefore, this criterion has been satisfied.

(6) The layout of the parcels proposed and the dimensions of each, with a number within each proposed parcel.

FINDING: Both of the proposed parcels are labeled with a number and the dimensions of the parcel are shown on the plan.

(7) The location of each building or structure above ground. Dimension distance to parcel lines being created.

FINDING: The subject property is currently undeveloped. Therefore, this criterion is not applicable.

(8) The width and location of all easements for drainage or public utilities.

FINDING: An existing 10 foot wide underground Communications Easement, reception #87-16388, is shown on the preliminary plan. However, Junction City Water Control Easement #1979-026880, and Northwest Pacific Bell Telephone Company Easement #1987-016388 and 1987-011112 are not shown on the preliminary plan. Therefore, the following condition is warranted:

- Prior to Final Plan approval, the applicant shall revise the plan to show all existing easements as required by JCMC 16.05.030(C)(8).

(9) In addition, when all or a portion of the area encompassed in a minor partition application has not been previously included in a recorded plat (subdivision) of lots averaging a maximum of one-half acre each, the following information is also required:

(a) The affidavit of a surveyor who is an Oregon licensed land surveyor, and who prepared the preliminary plan for the area encompassed in the proposed partition.

(b) The names of all recorded subdivisions contiguous to the subject area.

(c) The elevations of all points used to determine contours; said points given to true elevation above mean sea level as determined by the city engineer. The base data used shall be clearly indicated and shall be compatible to city datum if bench marks are not adjacent. The following intervals are required:

Contour Intervals Ground Slope

One foot Up to 5 percent

Two feet Over 5 percent through 10 percent

Five feet Over 10 percent

(d) The approximate width and location of all proposed or existing public utility easements.

(e) The approximate location of areas subject to inundation or storm water overflow, all areas covered by water, and the location, width and direction of flow of all water courses.

(f) All proposals for sewage disposal, flood control, and easements or deeds for drainage land, including profiles of proposed drainageways.

(g) All public areas proposed to be dedicated by the partitioner and the proposed uses thereof. In this connection, the application is subject to the requirements pertaining to reserve strips as stipulated in Section [5(A) (3)] of this ordinance. Said reserve strips shall be clearly indicated on the proposed partition.

(h) All public improvements proposed to be made or installed, and the time within which such improvements are envisioned to be completed.

(i) A legal description of the boundaries of the entire area owned by the partitioner of which the proposed partition is a part; provided that where the proposed partition comprises all of such area, an affidavit of such fact shall accompany the application.

FINDING: The plat was prepared by Larry Olson, PLS, an Oregon licensed land surveyor and his signature block indicates his review of, and affidavit, for this proposed minor partition.

There are no recorded plats that abut the property.

One foot contour intervals are shown on the attached preliminary plan based on LIDAR data derived from Oregon Department of Geology and Mineral Industries (DOGAMI).

There is an existing 10.0 foot wide underground communications easement per document number 87-16388 that encumbers the north eastern boundary line of the subject property as shown on the plan.

Future development on the proposed parcels has permanent non-exclusive right and easement over, under and across portion of Assessor's Map 15-04-29-00 Tax Lot 02300 for purpose of access, installation and maintenance of utilities per Declaration of Private Utility and Access Easement #2017-046021 recorded September 15, 2017.

The applicant is proposing to delay submittal of stormwater drainage and utility plans until building permit for development on Assessor's Map 15-04-29-00 Tax Lot 02300, the site located south of the subject property, has been received. Since the subject site and Tax Lot 02300 are currently undeveloped, drainage and utility plans submitted prior to development of Tax Lot 02300 may be inadequate and unsuitable. Upon receipt of site plans for Tax Lot 02300 the applicant will submit stormwater drainage and utility plans as required.

There are no areas proposed to be dedicated to the public within this minor partition including reserve strips.

No public improvements are proposed with this minor partition application.

A legal description was submitted as part of the preliminary partition plan application materials.

Based on this fact, the proposed partition complies with the criteria listed at JCMC 16.05.030(C)(9)(a) – (i).

(D) Preliminary Plan Review.

(1) City Superintendent of Public Works Review. The superintendent of public works shall review the preliminary plan and forward any comments he may have about the plan and send the original plan and seven copies to the planning commission for action, retaining one copy for his file.

FINDING: The applicant understands that city staff will first review the preliminary partition plan prior to the Planning Commission deliberating and rendering a decision. As of the date of this report, no comments or conditions have been received from the Superintendent of Public Works.

(2) Planning Commission Review.

(a) The planning commission shall approve the plan or ask for further information from the partitioner.

FINDING: The applicant understands that the Planning Commission is the approval authority for minor partitions in the City of Junction City.

(b) Approval findings. Approval of the plan must include affirmative findings that:

(i) Approval does not impede the future best use of the remainder of the property under the same ownership or adversely affect the safe and healthful development of such remainder of any adjoining land or access thereto.

FINDING: The owner, Norman Family Properties, LLC, owns the adjacent parcel to the north (Tax Lot 1301). This partition application will not impede the future best use of Tax Lot 01301. Therefore, this approval criterion is met.

(ii) The minor partition complies with Junction City policies and plans as well as the intent and purpose of JCMC 16.05.010.

FINDING: The subject property is zoned GC (General Commercial). There are no existing structures on this property. This partition would allow Commercial development on each individual lot and complies with the intent and purpose of the partition and subdivision ordinance.

(iii) Either:

(A) Improvements as required by the city and this code have been completed, and a certificate of fact has been filed with the planning department by the city engineer; or

(B) A performance agreement (bond), or suitable substitute, as agreed upon by the applicant and the city, has been filed with the city recorder in sufficient amount to insure the completion of all required improvements; or

(C) A petition for improvements has been properly executed by the partitioner who is effecting the partition and will be assessed for said improvements.

FINDING: There are no proposed public improvements with this minor partition application. If the Planning Commission decides that a petition for future public improvements is required then the property owner will comply with such a condition of approval. This criterion is satisfied.

(iv) The minor partition tentative plan is accompanied by five accurate copies thereof; and

FINDING: A digital copy of the preliminary partition plan, as well as 3 hard copies have been submitted with the application to meet this criterion.

(v) Public assessments, liens, utility charges and fees with respect to the minor partition area have been paid, or a segregation of assessments and liens has been applied for and granted by the council. Except as provided for in the procedures for modification as stipulated in JCMC 16.05.070, approval as stipulated herein does not relieve the applicant from other applicable provisions of this ordinance or Oregon Revised Statutes.

FINDING: No public assessments, liens, utility charges, or other fees known to exist with respect to this property. This criterion is not applicable. However if any new fees or assessments are found, the owners will pay the fees prior to recording the final plat.

(vi) Minor partition applications for land occupied by existing buildings shall show the location of buildings and give dimensions to existing and proposed lot lines.

FINDING: No buildings currently exist on the subject site. Therefore, this criterion is not applicable.

(3) Approval. In the event the planning commission finds that the plan complies with the statutes of the state and with this

and all ordinances of the city, it shall approve the plan and signify its action on the face thereof by appropriate signature of the commission. In the event the commission finds that the plan cannot be made to comply with such requirements, it shall disapprove the plan and signify its action in the same manner as in approval. The commission may make approval subject to conditions to be fulfilled by the petitioner.

FINDING: The applicant understands that approval of the plan will be signified by a signature of the Planning Commission Chair on the final plat.

(4) Notification by Commission. When such a plan is approved, conditionally approved or disapproved by the commission, it shall forthwith deliver in person or by mail a copy of such plan with the action thereon to the person having filed the plan. Such action by the commission shall become final in the absence of any appeal. Copies of the plan with the action thereon shall be delivered to the Lane Council of Governments, and the commission shall retain the original copy thereof in the office of the city engineer.

FINDING: The applicant understands that notification will be made of the Planning Commission decision.

(5) Unless appealed, the planning commission's decision shall become effective on the eleventh day after it is rendered.

FINDING: The applicant understands that the Planning Commission decision will be effective on the eleventh day after the decision is issued.

(E) Appeal to the Council. If any person filing a minor partition plan is dissatisfied with the action of the planning commission, he may, no later than 12 days after such action by the commission, appeal in writing to the council and file same with the council.

FINDING: The property owner/applicant understands that any possible appeal of the Planning Commission decision will be heard by the City Council.

(F) Limitation of Appeal. The conditional approval of such plan shall be valid for a period of one year from the date of final action thereon. During said period, all the conditions of approval shall be met. Such conditional approval may be extended for a period not to exceed one additional year by the council, upon written request; provided, such request is made prior to the expiration of the one-year period.

FINDING: It is understood by the applicant that a minor partition approval is valid for one year.

(G) Ownership Verification of Dedications. In the event approval of a minor partition is conditioned upon the dedication of a portion of the area to the public, the applicant shall submit to the public works department a title report issued by a title insurance company licensed in the state of Oregon verifying ownership by the applicant of the real property that is to be dedicated to the public.

FINDING: There are no proposed dedications with this proposed application; thus this requirement is not applicable.

(H) Expedited Land Divisions. All applications for expedited land divisions shall comply with ORS 197.360 through 197.380 and the Junction City comprehensive plan. ORS 197.360 through 197.380 details criteria, application and notice requirements and action and appeal procedures for expedited land divisions.

FINDING: This minor partition application is not being requested to be reviewed as an expedited land division. This standard does not apply.

Section 16.05.050 - Platting and Mapping Standards
(A) Streets.

FINDING: Highway 99E and 99W are Oregon Department of Transportation owned and maintained streets. There are no new proposed public streets as part of this application. Therefore, this criterion is not applicable.

(B) Alleys.

FINDING: No alleys are proposed with this partition application.

(C) Blocks.

(1) Block length. Block length shall not exceed 600 feet. In residential and commercial zones, maximum block perimeter shall be 1,600 feet. The planning commission may allow exceptions where pedestrian pathways are utilized as mid-block connections between streets.

FINDING: Highway 99E and 99W are existing public streets. No streets are proposed with this partition; thus the block length of both public streets will be unaffected.

(2) Street Connectivity. In order to promote efficient vehicular and pedestrian circulation throughout the city, land divisions and developments greater than two acres in size shall produce complete blocks bounded by a connecting network of public and/or private streets, in accordance with the following standards:

FINDING: The subject site is 11.5 acres and subject to street connectivity standards. However, no new streets have been proposed as the access control to Highway 99E and 99W has been restricted by the Oregon Department of Transportation. Proposed Parcel 1 is adjacent to Highway 99 West on the west and proposed Parcel 2 is adjacent to Highway 99 East on the east. The parcels proposed to connect to Highway 99 East and Highway 99 West via the access easement as illustrated in Exhibit D of the Declaration of Private Utility and Access Easement #2017-046021, recorded September 15, 2017.

(3) Pedestrian ways. When necessary for public convenience and safety, the planning commission may require the partitioner or subdivider to dedicate to the public pedestrian ways 10 feet in width to connect to cul-de-sacs, to pass through oddly shaped or unusually long blocks, or to provide access to schools, parks, or other public areas, of such design and location as reasonably required to facilitate pedestrian travel.

FINDING: There are no cul-de-sacs, schools, parks, or other public areas adjacent to the proposed partition that would require the dedication of any pedestrian ways. Given this fact, this standard is not applicable.

(4) Easements for utilities. Dedication of easements for storm water sewers and for access there-to for maintenance, in order to safeguard the public against flood damage and the accumulation of surface water, and dedication of easements for sanitary sewers, and for access thereto for maintenance, and dedication of easements for other public or private utilities, may be required of the partitioner or subdivider by the planning commission along lot rear lines, lot side lines, or elsewhere as necessary to provide needed facilities for present or future development of the area in accordance with the purpose of this ordinance. Easements for utility lines shall be not less than 14 feet in width; except that, for an easement abutting land not in the partitioned or subdivision area, a lesser width may be allowed, in the description of the planning commission, where the petitioner or subdivider presents a satisfactory plan whereby such easement will be expanded to the width otherwise required.

FINDING: There is an existing 10.0 foot wide public utility easement that encumbers the northeast boundary line of the subject property, as shown on the plan. Additional drainage and public utility easements are proposed to be a delayed submittal, as the building permit for development on Assessor's Map 15-04-29-00 Tax Lot 02300, the site located south of the subject property, had not been received at the time of the partition application submittal. Since the subject site and Tax Lot 02300 are currently undeveloped, drainage and utility plans submitted prior to development of Tax Lot 02300 may be inadequate and

unsuitable. Upon receipt of site plans for Tax Lot 02300 the applicant will submit stormwater drainage and utility plans as required. As such, the following condition is warranted:

- Where required, easements for access and utilities shall be dedicated on the partition plat at the time of recording. All proposed easements shall meet Public Works width requirements.

(D) Perimeter Fences. Perimeter fences shall be required where rear yards abut an existing or planned street. The perimeter fence shall be sight-obscuring and at least 5 feet in height, and shall be setback at least 3 feet from the sidewalk or right-of-way. At least one deciduous shade tree (a minimum 2-inches in caliper at planting) shall be provided for each 50 lineal feet of street frontage. At the time of application review, the Planning Commission may also require additional subdivision perimeter fencing, retaining walls, or other perimeter treatment in order to address privacy, stormwater runoff, or other issues relating to compatibility with adjacent properties.

FINDING: There are no existing or planned streets along the rear boundary of the subject site; thus no perimeter fence is required at this time.

(E) Lots. Lot sizes in mobile home subdivisions shall conform to the provisions of Chapter 17.100 JCMC, Mobile Homes, rather than this subsection (E).

(1) Size and frontage.

(a) General requirements.

(i) Width. Each lot shall have an average width between the lot side lines of not less than 60 feet. Each corner lot and each authorized key lot and butt lot shall have an average width between the lot side lines of not less than 65 feet.

FINDING: Both of the parcels will have an average width well over 60 feet. Proposed parcels #1 and #2 will have an average widths of roughly 340 feet. The lot widths also comply with the minimum lot width of 60 feet per Section 17.10.030 of the JCMC.

(ii) Depth. Each lot shall have an average depth between the lot front line and the lot rear line of not less than 80 feet and not more than 2 ½ times the average width between the lot side lines. Each double frontage lot shall have an average depth between the lot front line and lot rear line of not less than 120 feet, unless a lesser depth is approved by the planning commission where necessitated by unusual topographic conditions.

FINDING: Both of the parcels will have an average depth well over 80 feet. Proposed parcel #1 will have an average depth of 959.06 feet. Proposed parcels #2 will have average depth of 506.78 feet. Therefore, this standard has been met.

(iii) Area. Minimum lot area shall be in accord with requirements for the zoning district within which the lot is located.

FINDING: The subject site is zoned GC (General Commercial). There is no minimum lot area standard requirements for property zoned GC. This standard has been met.

(iv) Frontage. Each lot shall have frontage of not less than 60 feet upon a street, except that a lot on the outer radius of a curved street or facing the circular end of a cul-de-sac shall have frontage of not less than 35 feet upon a street, measured on the arc.

FINDING: Both proposed parcels show frontage in excess of the minimum standard at over 400 lineal feet per parcel. Furthermore, each lot will gain access to Highway 99E via the recorded private access easements that is located along the southern boundary of the proposed parcels. Therefore, this criterion has been adequately addressed.

(v) Reverse Frontage.

(A) Lots that front on more than one street shall be required to locate motor vehicle accesses on the street with lower functional classification.

(B) When a residential subdivision is proposed that would abut an arterial, it shall be designed to provide through lots along the arterial with access from a frontage road or interior local road. Access rights of these lots to the arterial shall be dedicated to the city and recorded with the deed (reserve strip.) A berm or buffer yard may be required at the rear of through lots to buffer residences from traffic on the arterial. The berm or buffer yard shall not be located within the public right-of-way.

FINDING: None of the three proposed parcels are shown as reverse frontage lots. Therefore, these criteria are not applicable.

(b) Exceptions.

(i) Partitioned or subdivision area developed as a unit. The planning commission may, in its discretion, authorize relaxation of the parcel or lot size and frontage requirements specified herein where the partitioner or subdivider presents a plan satisfactory to the planning commission whereby the entire partitioned or subdivision area will be designed and developed with provision for proper maintenance of recreation and park area which will be commonly available for recreation and park purposes to the residents of the partitioned or subdivision area, and which the planning commission determines will be of such benefit to said residents as is equal to that which would be derived from observance of the parcel or lot size and frontage requirements otherwise specified, and will be in accordance with the purpose of this ordinance.

(ii) Land zoned for commercial or industrial use. The planning commission may, in its discretion, authorize relaxation of the parcel or lot size and frontage requirements specified herein in the case of land zoned for commercial use, where such relaxation is necessary in consideration of the suitability of the land for such use, and in accordance with the purpose of this ordinance.

(iii) Parcel or lot retained for future partition or subdivision. The planning commission may, in its discretion, waive parcel or lot frontage requirements where, in its judgment, a parcel or lot should and will be retained by the partitioner or subdivider, and future partition or subdivision of such parcel or lot will be the highest and best use thereof, and such use will be best protected by the creation of a reserve strip separating such parcel or lot from any street.

FINDING: All lot design standards (width, depth, area, and frontage) are met. No exceptions to the standards are being requested in this application; thus this criterion is not applicable.

(2) Key parcels or lots and butt parcels or lots. There shall be no key parcels or lots or butt parcels or lots, except where authorized by the planning commission here such parcels or lots are necessitated by unusual topographic conditions or previous adjacent layout.

FINDING: There are no proposed key lots or parcels or butt lots or parcels, as required.

(3) Parcel and lot side lines. As far as is practicable, parcel and lot side lines shall run at right angles to the street upon which the parcels or lots face, except that on curved streets they shall be radial to the curve.

FINDING: The parcel lot side lines are, as far as practical, at right angles to the street upon which the parcels face to the greatest extent possible.

(4) Suitability for intended use. All parcels and lots shall be suitable for the purpose for which they are intended to be used. No parcel or lot shall be of such size or design as to be detrimental to the health, safety, or sanitary needs of the residents of the partition or subdivision area or of such parcel or lot, as determined by the planning commission in accordance with the purpose of this ordinance.

FINDING: All proposed parcels are large enough in area and suitable for Commercial development, as envisioned by the Junction City Comprehensive Plan and parent zoning. No parcel size will be detrimental to public health and safety.

(5) Future partitioning or subdivision of parcels or lots. Where the partition or subdivision will result in a parcel or lot ½ acre or larger in size which, in the judgment of the planning commission, is likely to be partitioned or subdivided in the future, the planning commission may require that the location of parcel or lot lines and other details of layout be such that future partition or subdivision may readily be made without violating the requirements of this ordinance and without interfering with orderly extension of adjacent streets. Any restriction of buildings within future street locations shall be made a matter of record, if the planning commission deems it necessary for the purpose of future subdivision.

FINDING: This preliminary partition application proposes the creation of two (2) parcels out of one (1) legal lot, with both proposed lots exceeding 0.5 acres in size. The subject site is zoned GC (General Commercial). There is no minimum lot area standard requirements for property zoned GC. The applicant does not foresee future partitioning of Parcel 1 or Parcel 2. Therefore, the Planning Commission has discretion in determining compliance with the above standard.

(6) Panhandle lots. Panhandle lot configurations shall not be utilized in new subdivisions. The Planning Commission may authorize exceptions from frontage requirements for panhandle lots in the R1 and R2 zones, only in established neighborhoods, provided that the following standards, applicable to all panhandle lots, are met.

FINDING: No Panhandle Lots are proposed as part of this application. Therefore, the criteria listed at 16.05.050(E)(6) are not applicable.

(F) Drainage. Where land in the partitioned or subdivision area is or will be periodically subject to accumulations of surface water or is traversed by any watercourse, channel, stream or creek, the planning commission may require the partitioner or subdivider to provide for adequate unrestricted drainage over drainage land by dedicating to the public easements therefore approved by the planning commission as adequate for the drainage needs of the area; or, where necessary, in the judgment of the planning commission, for protection of such needs, by conveying ownership of such drainage land for drainage purposes to the city.

FINDING: The City of Junction City Local Wetland Inventory indicates that the subject property is not traversed by wetlands. The applicant is proposing to delay submittal of stormwater drainage and utility plans until building permit for development on Assessor's Map 15-04-29-00 Tax Lot 02300, the site located south of the subject property, has been received. A building permit application was received for Tax Lot 2300 on March 7, 2018. The Public Works Director has not issued any objection to the Planning Commission approving this request. Therefore, the Planning Commission has discretion in determining compliance with the above standard.

(G) Railroads.

FINDING: There are no railroads adjacent to the proposed partition; thus this section is not applicable. Given this fact, none of the subsections are included below.

(H) Partial development. Where the partitioned or subdivision area includes only a part of the tract owned by the partitioner or subdivider, the planning commission may require a sketch of a tentative layout of streets in the remainder of said tract.

FINDING: Tax lot 01301 located north of the subject site is under the same ownership, Norman Family Properties, LLC. However, it is outside of Junction City's urban growth boundary. Therefore, future extension of City Streets is not likely.

(I) Recreational area. The planning commission, after council approval first having been obtained, may require, as a condition of approval of the subdivision, either:

(1) The dedication of land for park and recreational purpose of an amount equal to a ratio of not less than one acre of recreational area to every one hundred people of the ultimate population in the subdivision; or

(2) The payment to the city of a sum as established by the resolution adopting park systems development charges for each living unit permitted to be constructed within the subdivision. Payment of the charge shall be made at the time the building permit for construction of each living unit is issued by the city. The amount of the charge shall be that prescribed in the parks systems development resolution in effect at the time the individual permit is issued. In exercising the discretion of requiring the dedication of land or the payment of money, the commission shall consider recreational needs of the ultimate population of the subdivision and the extent to which a dedication of land under the above rate would fulfill those needs. All moneys received from the above provision shall be deposited in the recreational reserve area fund and shall be expended from that fund for the purpose of purchasing recreational land and making improvements thereof.

FINDING: This application is for a minor partition and not a subdivision; thus this standard is not applicable.

(J) Building lots filled. All building lots shall be filled in accordance with accepted engineering practice. All fill shall be placed in accordance with Chapter 70 of Oregon Structural, Specialty and Fire and Life Safety Code.

FINDING: The subject property is fairly flat and thus no fill is proposed for the building lots; however, if any fill is needed than it will be in compliance with accepted engineering practices and the Oregon Structural Specialty Code.

(K) Finish floor elevations. Finish floor elevations shall be established for all buildings on the final plat in accordance with elevations established by and for the city of Junction City.

FINDING: The property owner and applicant understand this final plat standard.

(L) Utility access. All accesses to utilities are to be brought to finish grade.

FINDING: All of the accesses to utilities when constructed will be brought to finished grade.

- D. This approval shall become final on the date this decision and supporting findings of fact are signed by the Junction City Planning Commission Chairperson. An appeal of the Planning Commission's decision must be submitted to the City Council within 12 days of this Final Order being mailed to all opponents. Appeals may be made by filing written notice with the City and paying**

the fee equal to the average cost as prescribed by the City Council and cost of the written transcripts up to \$500, plus one-half the cost over \$500. If no appeal is taken within the 12-day period, the decision of the Planning Commission shall be final. An appeal of the City Council's decision must be submitted to the Land Use Board of Appeals within 21 days of the Council's decision becoming final.

Failure of the applicant to raise constitutional or other issues relating to proposed conditions of approval with sufficient specificity to allow the City to respond to the issue precludes an action for damages in circuit court.

Signature:

Stuart Holderby,

Junction City Planning Commission Vice Chairperson

Approval Date:

Property Size: 11.50 acres	Assessor's Map & Tax Lot #: 15-04-29-00-02200
Present Use: vacant/ undeveloped	Proposed Use:
Brief Summary of Action Requested: Minor partition	
Are there other permit applications associated with this application? If yes, list:	

Section 3

I have the following legal interest in the property (Circle one):

Owner of Record Lessee Contract Purchase Holder of an exclusive Option to Purchase

Written authorization from the owner to act as his/her agent must be provided if not the owner of record

Section 4

Applicant: TKC CCXXXVII, LLC

Address: 4500 Cameron Valley Parkway, Suite 400, Charlotte, NC 28211

Phone: (704) 365-6000 or (704) 319-8136 E-Mail: wfulton@thekeithcorp.com

Property Owner: Norman Family Properties, LLC

Address: 93735 Strome Lane Junction City, OR 97448

Phone: E-Mail:

Contact:
(if different than Applicant) Scott Morris, PE Olson & Morris

Address: 380 Q Street Suite 200 Springfield, OR 97477

Phone: 541-302-9790 E-Mail: scott@olsonmorris.com

Section 6

Supplemental Application:	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Attachment(S):	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>

Section 7

Your signature below acknowledges the following:

- 1. Payment of the base fee may not cover the City's costs associated with processing the Application.**
Per Resolution 1053: All direct costs for contracted services shall be charged monthly to the applicant in the amount billed to City. Contracted city services include, but are not limited to, city engineer, city attorney, building inspector, traffic consultant, &/or wetlands specialist. Direct costs 30 days past due shall be charged 9% interest in addition to the amount billed to the City.
- 2. The foregoing statements and other information attached hereto are true and accurate to the best of my knowledge and belief.**
- 3. Signer agrees to pay all direct costs associated with processing this land use application.**

Applicant Signature:

[Handwritten signature]
[Redacted signature area]

Date:

1/23/18

PRELIMINARY PARTITION APPLICATION FOR THE KEITH CORPORATION

Written Statement

Submittal No. 1

Document Date: January 23, 2018

Applicant's Request: Preliminary Partition Plat approval to create two (2) parcels out of one legal lot.

Applicant: The Keith Corporation
c/o Wendy Fulton, Senior Project Manager
4500 Cameron Valley Parkway Suite 400
Charlotte, NC 28211

Property Owner: Norman Family Properties, LLC
93735 Strome Lane
Junction City, OR 97448

Surveyor: Olson & Morris
c/o Larry Olson, PLS
380 Q Street Suite 200
Springfield, OR 97477
Tel (541) 302-9790

Applicant's Representative: Olson & Morris
c/o Scott Morris, PE
380 Q Street Suite 200
Springfield, OR 97477
Tel (541) 302-9790

Planner: Metro Planning, Inc.
c/o Maureen Jackson, Associate Planner
370 Q Street
Springfield, OR 97477
Tel (541) 302-9830

Subject Property: Assessor's Map 15-04-29-00;
Tax Lot 02200

Location of Property: North of Highway 99W and Highway 99E Junction

Property Size: 500,940 sq. ft. (11.5 acre)

Zoning: GC (General Commercial)

Comprehensive Plan: C (Commercial)

Existing Use: Vacant undeveloped

Proposed Parcel 1 Size: 326,700 sq. ft. (7.50 acres)

Proposed Parcel 2 Size: 173,369 sq. ft. (3.98 acres)

Background

This partition will divide one existing lot into two proposed parcels. The site of this partition is located directly north of the Highway 99W and Highway 99E junction. Development plans for this proposed preliminary partition are purely conceptual at this point. There is no development planned with this preliminary partition process except for the creation of new lot lines.

Per Declaration of Private Utility and Access Easement 2017-046021 recorded September 15, 2017 the subject site has permanent non-exclusive right and easement over, under and across portion of Assessor's Map 15-04-29-00 Tax Lot 02300 for purpose of access, installation and maintenance of utilities and ingress egress. The proposed parcels will have access to Highway 99E and Highway 99W via the access easement as illustrated in Exhibit D of the Declaration of Private Utility and Access Easement (see Appendix Figure 1).

The applicant is proposing to delay submittal of stormwater drainage and utility plans until building permit for development on Assessor's Map 15-04-29-00 Tax Lot 02300, the site located south of the subject property, has been received. Since the subject site and Tax Lot 02300 are currently undeveloped, drainage and utility plans submitted prior to development of Tax Lot 02300 may be inadequate and unsuitable. Upon receipt of site plans for Tax Lot 02300 the applicant will submit stormwater drainage and utility plans as required.

This written statement addresses applicable requirements for a minor partition per the Junction City Municipal Code (JCMC), including Section JCMC 16.05.030 – Minor Partition Procedure, Section JCMC 16.05.050 – Platting and Mapping Standards. Also addressed is conformance to General Commercial Zone (GC) standards JCMC 17.30. Text from the municipal code is in italics; the responses are in plain text.

Minor Partition Procedure

JCMC 16.05.030 – Minor Partition Procedure

(A) **Application.** *An application shall be made by the person proposing the minor partition or his authorized agent or representative on a form prescribed by the city following procedures outlined in JCMC 17.150.070 and submitted to the secretary of the planning commission, together with a tracing and nine additional copies of a preliminary plan.*

Olson & Morris is the authorized representative for The Keith Corporation. This application is being submitted with four copies of the preliminary plan in compliance with this requirement.

(B) **Drafting.** *The preliminary plan shall be legibly drawn to scale on sheets of tracing paper or cloth measuring 8 ½ by 11 inches. The scale will be 10, 20, 30, 40, 50, or 60 feet to the inch. The city superintendent of public works shall furnish such 8 ½ by 11-inch tracing sheets on request.*

The preliminary plan has been drafted on 18" x 24" paper and a reduced copy on 8.5" x 11" paper is included as well.

(C) **Preliminary Plan Contents.** *The preliminary plan shall contain the following:*

(1) *The dimensions and parcel lines of all parcels.*

The dimensions of the boundary and proposed parcel lines are shown on the attached plan.

(2) *An accurate map describing the boundaries of all contiguous land in the same ownership as the area encompassed in the preliminary plan area.*

Assessor's Map 15-04-29-00 Tax lot 01301 located north of the site outside of Junction City's urban growth boundary is under the same ownership, Norman Family Properties, LLC, as the subject property; however it is not involved in this application.

Preliminary Partition for
The Keith Corporation

(3) *The date, north point and scale of the drawing, and sufficient legal description and dimensions of the land to define the boundary thereof and the assessor's account number.*

The date of the survey, north arrow, engineer's scale, and legal description are noted on the attached plan.

(4) *Name, address and telephone number of the owner, the partitioner and engineer or surveyor.*

The contact information for the owner, partitioner, and surveyor is noted on the plan as required. In addition, the address and phone number of the surveyor, Larry Olson, is included as well.

(5) *Location of property in relation to existing streets, name and present width of all streets and alleys, and proposed right-of-way lines for existing or projected streets as shown on the master street plan.*

The preliminary partition plan includes a vicinity map that shows the location of the subject property relative to the adjacent street network. In addition, the width of the existing streets, Hwy 99 West and Highway 99 East, are noted on the plan.

(6) *The layout of the parcels proposed and the dimensions of each, with a number within each proposed parcel.*

The three proposed parcels are labeled with a number and the dimensions of each parcel are shown on the plan.

(7) *The location of each building or structure above ground. Dimension distance to parcel lines being created.*

The subject property is currently vacant and undeveloped.

(8) *The width and location of all easements for drainage or public utilities.*

All easements are shown on the plan as required.

(9) *In addition, when all or a portion of the area encompassed in a minor partition application has not been previously included in a recorded plat (subdivision) of lots averaging a maximum of one-half acre each, the following information is also required:*

(a) *The affidavit of a surveyor who is an Oregon licensed land surveyor, and who prepared the preliminary plan for the area encompassed in the proposed partition.*

The plat was prepared by Larry Olson, PLS, an Oregon licensed land surveyor and his signature block indicates his review of, and affidavit, for this proposed minor partition.

(b) *The names of all recorded subdivisions contiguous to the subject area.*

There are no recorded subdivisions contiguous to the subject property.

(c) *The elevations of all points used to determine contours; said points given to true elevation above mean sea level as determined by the city engineer. The base data used shall be clearly indicated and shall be compatible to city datum if bench marks are not adjacent. The following intervals are required:*

<u>Contour Intervals</u>	<u>Ground Slope</u>
<i>One foot</i>	<i>Up to 5 percent</i>
<i>Two feet</i>	<i>Over 5 percent through 10 percent</i>
<i>Five feet</i>	<i>Over 10 percent</i>

One foot contour intervals are shown on the attached preliminary plan based on LIDAR data derived from Oregon Department of Geology and Mineral Industries (DOGAMI).

(d) The approximate width and location of all proposed or existing public utility easements.

There is an existing 10.0 foot wide underground communications easement per document number 87-16388 that encumbers the north eastern boundary line of the subject property as shown on the plan.

Future development on the proposed parcels has permanent non-exclusive right and easement over, under and across portion of Assessor's Map 15-04-29-00 Tax Lot 02300 for purpose of access, installation and maintenance of utilities per Declaration of Private Utility and Access Easement 2017-046021 recorded September 15, 2017 (see Appendix Figure 2).

(e) The approximate location of areas subject to inundation or storm water overflow, all areas covered by water, and the location, width and direction of flow of all water courses.

The applicant is proposing to delay submittal of stormwater drainage and utility plans until building permit for development on Assessor's Map 15-04-29-00 Tax Lot 02300, the site located south of the subject property, has been received. Since the subject site and Tax Lot 02300 are currently undeveloped, drainage and utility plans submitted prior to development of Tax Lot 02300 may be inadequate and unsuitable. Upon receipt of site plans for Tax Lot 02300 the applicant will submit stormwater drainage and utility plans as required.

(f) All proposals for sewage disposal, flood control, and easements or deeds for drainage land, including profiles of proposed drainageways.

The applicant is proposing to delay submittal of stormwater drainage and utility plans until building permit for development on Assessor's Map 15-04-29-00 Tax Lot 02300, the site located south of the subject property, has been received. Since the subject site and Tax Lot 02300 are currently undeveloped, drainage and utility plans submitted prior to development of Tax Lot 02300 may be inadequate and unsuitable. Upon receipt of site plans for Tax Lot 02300 the applicant will submit stormwater drainage and utility plans as required.

(g) All public areas proposed to be dedicated by the partitioner and the proposed uses thereof. In this connection, the application is subject to the requirements pertaining to reserve strips as stipulated in Section [5(A) (3)] of this ordinance. Said reserve strips shall be clearly indicated on the proposed partition.

There are no areas proposed to be dedicated to the public within this minor partition including reserve strips.

(h) All public improvements proposed to be made or installed, and the time within which such improvements are envisioned to be completed.

No public improvements are proposed with this minor partition application.

(i) A legal description of the boundaries of the entire area owned by the partitioner of which the proposed partition is a part; provided that where the proposed partition comprises all of such area, an affidavit of such fact shall accompany the application.

A legal description is included on the attached preliminary partition plan.

(D) Preliminary Plan Review.

(1) City Superintendent of Public Works Review. The superintendent of public works shall review the preliminary plan and forward any comments he may have about the plan and send the original plan and seven copies to the planning commission for action, retaining one copy for his file.

The applicant understands that city staff will first review the preliminary partition plan prior to the Planning Commission deliberating and rendering a decision.

(2) *Planning Commission Review.*

- (a) *The planning commission shall approve the plan or ask for further information from the partitioner.*

The applicant understands that the Planning Commission is the approval authority for minor partitions in the City of Junction City.

- (b) *Approval findings. Approval of the plan must include affirmative findings that:*

- (i) *Approval does not impede the future best use of the remainder of the property under the same ownership or adversely affect the safe and healthful development of such remainder of any adjoining land or access thereto.*

Assessor's Map 15-04-29-00 Tax lot 01301 located north of the site outside of Junction City's urban growth boundary is under the same ownership, Norman Family Properties, LLC, as the subject property. The proposed partition has permanent non-exclusive right and easement over, under and across portion of Assessor's Map 15-04-29-00 Tax Lot 02300 for purpose of access, installation and maintenance of utilities and ingress egress to Highway 99E and Highway 99W via Declaration of Private Utility and Access Easement 2017-046021 recorded September 15, 2017. This partition application will not impede the future best use of Tax Lot 01301. This approval criterion is met.

- (ii) *The minor partition complies with Junction City policies and plans as well as the intent and purpose of JCMC 16.05.010.*

The subject property is zoned GC (General Commercial). The future development plans for the two parcels have not been determined yet however the use will comply with those uses permitted outright per Section 17.35.010 of the Junction City Municipal Code (JCMC). In addition, the use will be consistent with the comprehensive plan designation of Commercial development. Furthermore, this minor partition application will ensure the proper and orderly development of the subject site. All of the proposed parcels will be served by the public stormwater and wastewater systems, as well as, be provided all other utilities. This partition complies with the intent and purpose of the partition and subdivision ordinance.

Parcels 1 and 2 are standard lots. There are no minimum lot size requirements within the GC zone. In terms of setbacks, Parcel 1 and Parcel 2 are currently undeveloped. The applicant understands that future development on the proposed parcels will be subject to the setback standards required by JCMC 17.35.050. These standards will be addressed at the time of building permit.

- (iii) *Either:*

(A) *Improvements as required by the city and this code have been completed, and a certificate of fact has been filed with the planning department by the city engineer; or*

(B) *A performance agreement (bond), or suitable substitute, as agreed upon by the applicant and the city, has been filed with the city recorder in sufficient amount to insure the completion of all required improvements; or*

(C) *A petition for improvements has been properly executed by the partitioner who is effecting the partition and will be assessed for said improvements.*

There are no proposed public improvements with this minor partition application. If the Planning Commission decides that a petition for future public improvements is required then the property owner will comply with such a condition of approval. This criterion is satisfied.

- (iv) *The minor partition tentative plan is accompanied by five accurate copies thereof; and*

Four copies of the preliminary partition plan have been attached to this application per the city land division checklist.

(v) Public assessments, liens, utility charges and fees with respect to the minor partition area have been paid, or a segregation of assessments and liens has been applied for and granted by the council. Except as provided for in the procedures for modification as stipulated in JCMC 16.05.070, approval as stipulated herein does not relieve the applicant from other applicable provisions of this ordinance or Oregon Revised Statutes.

No public assessments, liens, utility charges, or other fees known to exist with respect to this property. This criterion is not applicable. However if any new fees or assessments are found, the owners will pay the fees prior to recording the final plat.

(vi) Minor partition applications for land occupied by existing buildings shall show the location of buildings and give dimensions to existing and proposed lot lines.

The subject property is currently undeveloped. This criterion is not applicable.

(3) Approval. In the event the planning commission finds that the plan complies with the statutes of the state and with this and all ordinances of the city, it shall approve the plan and signify its action on the face thereof by appropriate signature of the commission. In the event the commission finds that the plan cannot be made to comply with such requirements, it shall disapprove the plan and signify its action in the same manner as in approval. The commission may make approval subject to conditions to be fulfilled by the petitioner.

The applicant understands that approval of the plan will be signified by a signature of the Planning Commission Chair on the final plat.

(4) Notification by Commission. When such a plan is approved, conditionally approved or disapproved by the commission, it shall forthwith deliver in person or by mail a copy of such plan with the action thereon to the person having filed the plan. Such action by the commission shall become final in the absence of any appeal. Copies of the plan with the action thereon shall be delivered to the Lane Council of Governments, and the commission shall retain the original copy thereof in the office of the city engineer.

The applicant understands that notification will be made of the Planning Commission decision.

(5) Unless appealed, the planning commission's decision shall become effective on the eleventh day after it is rendered.

The applicant understands that the Planning Commission decision will be effective on the eleventh day after the decision is issued.

(E) Appeal to the Council. If any person filing a minor partition plan is dissatisfied with the action of the planning commission, he may, no later than 12 days after such action by the commission, appeal in writing to the council and file same with the council.

The property owner/applicant understands that any possible appeal of the Planning Commission decision will be heard by the City Council.

(F) Limitation of Appeal. The conditional approval of such plan shall be valid for a period of one year from the date of final action thereon. During said period, all the conditions of approval shall be met. Such conditional approval may be extended for a period not to exceed one additional year by the council, upon written request; provided, such request is made prior to the expiration of the one-year period.

It is understood by the applicant that a minor partition approval is valid for one year.

*(G) **Ownership Verification of Dedications.** In the event approval of a minor partition is conditioned upon the dedication of a portion of the area to the public, the applicant shall submit to the public works department a title report issued by a title insurance company licensed in the state of Oregon verifying ownership by the applicant of the real property that is to be dedicated to the public.*

No dedications are proposed with this application; thus this requirement should not be applicable.

*(H) **Expedited Land Divisions.** All applications for expedited land divisions shall comply with ORS 197.360 through 197.380 and the Junction City comprehensive plan. ORS 197.360 through 197.380 details criteria, application and notice requirements and action and appeal procedures for expedited land divisions.*

This minor partition application is not being requested to be reviewed as an expedited land division; thus this standard does not apply.

Platting and Mapping Standards

JCMC 16.05.050 - Platting and Mapping Standards

(A) Streets.

Proposed Parcel 1 is adjacent to Highway 99 West on the west and proposed Parcel 2 is adjacent to Highway 99 East on the east. Highway 99 West and Highway 99 East are existing public streets. The proposed parcels will have access to Highway 99 East and Highway 99 West via the access easement as illustrated in Exhibit D of the Declaration of Private Utility and Access Easement (see Appendix Figure 1). There are no proposed streets because the unplatted lands adjacent to the subject site are already developed and do not need a street stub from this property. Given these facts, none of the subsections of (A) – Streets is addressed below.

(B) Alleys.

No alleys are proposed with this partition application; thus this section is not applicable and none of the subsections of (B) – Alleys is addressed below.

(C) Blocks.

*(1) **Block length.** Block length shall not exceed 600 feet. In residential and commercial zones, maximum block perimeter shall be 1,600 feet. The planning commission may allow exceptions where pedestrian pathways are utilized as mid-block connections between streets.*

Highway 99 West and Highway 99 East are existing public streets. No streets are proposed with this partition; thus the block lengths of Highway 99 West and Highway 99 East will be unaffected. Given this fact, this standard is not applicable.

*(2) **Street Connectivity.** In order to promote efficient vehicular and pedestrian circulation throughout the city, land divisions and developments greater than two acres in size shall produce complete blocks bounded by a connecting network of public and/or private streets, in accordance with the following standards:*

a. The proposed development shall include street connections in the direction of all existing or planned streets within one-quarter mile of the development site. The proposed development shall also include street connections to any streets that abut, are adjacent to, or terminate at the development site.

The subject site is 11.5 acres and subject to street connectivity standards. Proposed Parcel 1 is adjacent to Highway 99 West on the west and proposed Parcel 2 is adjacent to Highway 99 East on the east. Highway 99 West and Highway 99 East are existing public streets. The proposed parcels will connect to Highway 99 East and Highway 99 West via the access easement as illustrated in Exhibit D of the Declaration of Private Utility and Access Easement (see Appendix Figure 1). This standard is met.

b. The proposed development shall include streets that extend to undeveloped or partially developed land that is adjacent to the development site.

The subject site is 11.5 acres and subject to street connectivity standards. Proposed Parcel 1 is adjacent to Highway 99 West on the west and proposed Parcel 2 is adjacent to Highway 99 East on the east. Highway 99 West and Highway 99 East are existing public streets. The proposed parcels will connect to Highway 99 East and Highway 99 West via the access easement as illustrated in Exhibit D of the Declaration of Private Utility and Access Easement (see Appendix Figure 1). Per Declaration of Private Utility and Access Easement 2017-046021 recorded September 15, 2017 the subject site has permanent non-exclusive right and easement over, under and across portion of Assessor's Map 15-04-29-00 Tax Lot 02300 for purpose of access, installation and maintenance of utilities and ingress egress. Tax Lot 02300 is currently undeveloped. This standard is met.

c. The requirements of subsections (C)(2)(a) and (b) of this section do not apply if it is demonstrated that the connections cannot be made due to impact of natural resource areas such as wetlands, streams, or upland wildlife habitat area or where existing development on adjacent lands, including previously subdivided vacant parcels, precludes a connection now or in the future.

As stated above, the standards of Section JCMC 16.05.050(C)(2)(a) and (b) are met.

(3) Pedestrian ways. When necessary for public convenience and safety, the planning commission may require the partitioner or subdivider to dedicate to the public pedestrian ways 10 feet in width to connect to cul-de-sacs, to pass through oddly shaped or unusually long blocks, or to provide access to schools, parks, or other public areas, of such design and location as reasonably required to facilitate pedestrian travel.

There are no cul-de-sacs, schools, parks, or other public areas adjacent to the proposed partition that would require the dedication of any pedestrian ways. Given this fact, this standard is not applicable.

(4) Easements for utilities. Dedication of easements for storm water sewers and for access there-to for maintenance, in order to safeguard the public against flood damage and the accumulation of surface water, and dedication of easements for sanitary sewers, and for access thereto for maintenance, and dedication of easements for other public or private utilities, may be required of the partitioner or subdivider by the planning commission along lot rear lines, lot side lines, or elsewhere as necessary to provide needed facilities for present or future development of the area in accordance with the purpose of this ordinance. Easements for utility lines shall be not less than 14 feet in width; except that, for an easement abutting land not in the partitioned or subdivision area, a lesser width may be allowed, in the description of the planning commission, where the petitioner or subdivider presents a satisfactory plan whereby such easement will be expanded to the width otherwise required.

The applicant is proposing to delay submittal of stormwater drainage and utility plans until building permit for development on Assessor's Map 15-04-29-00 Tax Lot 02300, the site located south of the subject property, has been received. Since the subject site and Tax Lot 02300 are currently undeveloped, drainage and utility plans submitted prior to development of Tax Lot 02300 may be inadequate and unsuitable. Upon receipt of site plans for Tax Lot 02300 the applicant will submit stormwater drainage and utility plans as required.

(D) Perimeter Fences. Perimeter fences shall be required where rear yards abut an existing or planned street. The perimeter fence shall be sight-obscuring and at least 5 feet in height, and shall be setback at least 3 feet from the sidewalk or right-of-way. At least one deciduous shade tree (a minimum 2-inches in caliper at planting) shall be provided for each 50 lineal feet of street frontage. At the time of application review, the Planning Commission may also require additional subdivision perimeter fencing, retaining walls, or other perimeter treatment in order to address privacy, stormwater runoff, or other issues relating to compatibility with adjacent properties.

The proposed partition is for commercial development where rear yards do not abut existing or planned streets. This standard does not apply.

(E) Lots. Lot sizes in mobile home subdivisions shall conform to the provisions of Chapter 17.100 JCMC, Mobile Homes, rather than this subsection (E).

(1) Size and frontage.

(a) General requirements.

(i) Width. Each lot shall have an average width between the lot side lines of not less than 60 feet. Each corner lot and each authorized key lot and butt lot shall have an average width between the lot side lines of not less than 65 feet.

Proposed Parcel 1 and Parcel 2 will have an average width more than sixty (60) feet. This standard has been met.

(ii) Depth. Each lot shall have an average depth between the lot front line and the lot rear line of not less than 80 feet and not more than 2 ½ times the average width between the lot side lines. Each double frontage lot shall have an average depth between the lot front line and lot rear line of not less than 120 feet, unless a lesser depth is approved by the planning commission where necessitated by unusual topographic conditions.

Proposed Parcel 1 and Parcel 2 will have an average depth of more than eighty (80) and not more than 2.5 times the average lot widths. This standard has been met.

(iii) Area. Minimum lot area shall be in accord with requirements for the zoning district within which the lot is located.

The subject site is zoned GC (General Commercial). There is no minimum lot area standard requirements for property zoned GC. This standard has been met.

(iv) Frontage. Each lot shall have frontage of not less than 60 feet upon a street, except that a lot on the outer radius of a curved street or facing the circular end of a cul-de-sac shall have frontage of not less than 35 feet upon a street, measured on the arc.

Proposed Parcel 1 and Parcel 2 will have more than sixty feet of street frontage as required. This standard has been met.

(v) Reverse Frontage.

(A) Lots that front on more than one street shall be required to locate motor vehicle accesses on the street with lower functional classification.

This is a preliminary partition application that proposes to create two (2) parcels out of one legal lot. Neither parcel have frontage on more than one street. This standard has been met.

(B) When a residential subdivision is proposed that would abut an arterial, it shall be designed to provide through lots along the arterial with access from a frontage road or interior local road. Access rights of these lots to the arterial shall be dedicated to the city and recorded with the deed (reserve strip.) A berm or buffer yard may be required at the rear of through lots to buffer residences from traffic on the arterial. The berm or buffer yard shall not be located within the public right-of-way.

This is a preliminary partition application that proposes to create two (2) commercial parcels out of one legal lot. This standard does not apply.

(b) Exceptions.

(i) Partitioned or subdivision area developed as a unit. The planning commission may, in its discretion, authorize relaxation of the parcel or lot size and frontage requirements specified herein where the partitioner or subdivider presents a plan satisfactory to the planning commission whereby the entire partitioned or subdivision area will be designed and developed with provision for proper maintenance of recreation and park area which will be commonly available for recreation and park purposes to the residents of the partitioned or subdivision area, and which the planning commission determines will be of such benefit to said residents as is equal to that which would be derived from observance of the parcel or lot size and frontage requirements otherwise specified, and will be in accordance with the purpose of this ordinance.

(ii) Land zoned for commercial or industrial use. The planning commission may, in its discretion, authorize relaxation of the parcel or lot size and frontage requirements specified herein in the case of land zoned for commercial use, where such relaxation is necessary in consideration of the suitability of the land for such use, and in accordance with the purpose of this ordinance.

(iii) Parcel or lot retained for future partition or subdivision. The planning commission may, in its discretion, waive parcel or lot frontage requirements where, in its judgment, a parcel or lot should and will be retained by the partitioner or subdivider, and future partition or subdivision of such parcel or lot will be the highest and best use thereof, and such use will be best protected by the creation of a reserve strip separating such parcel or lot from any street.

The proposed preliminary partition meets all lot design standards (width, depth, area, and frontage). No exceptions to the standards are being sought in this application; thus this criterion is not applicable.

(2) Key parcels or lots and butt parcels or lots. There shall be no key parcels or lots or butt parcels or lots, except where authorized by the planning commission here such parcels or lots are necessitated by unusual topographic conditions or previous adjacent layout.

There are no proposed key lots or parcels or butt lots or parcels, as required.

(3) Parcel and lot side lines. As far as is practicable, parcel and lot side lines shall run at right angles to the street upon which the parcels or lots face, except that on curved streets they shall be radial to the curve.

The parcel lot side lines are at right angles to the street upon which the parcels face as far as is practicable, as required.

(4) Suitability for intended use. All parcels and lots shall be suitable for the purpose for which they are intended to be used. No parcel or lot shall be of such size or design as to be detrimental to the health, safety, or sanitary needs of the residents of the partition or subdivision area or of such parcel or lot, as determined by the planning commission in accordance with the purpose of this ordinance.

All proposed parcels are large enough in area and suitable for commercial development, as envisioned by the Junction City Comprehensive Plan. No parcel size will be detrimental to public health and safety.

(5) Future partitioning or subdivision of parcels or lots. Where the partition or subdivision will result in a parcel or lot ½ acre or larger in size which, in the judgment of the planning commission, is likely to be partitioned or subdivided in the future, the planning commission may require that the location of parcel or lot lines and other details of layout be such that future partition or subdivision may readily be made without violating the requirements of this ordinance and without interfering with orderly extension of adjacent streets. Any restriction of buildings within future street locations shall be made a matter of record, if the planning commission deems it necessary for the purpose of future subdivision.

This preliminary partition application proposes the creation of two (2) parcels out of one (1) legal lot. The subject site is zoned GC (General Commercial). There is no minimum lot area standard requirements for property zoned GC. The applicant does not foresee future partitioning of Parcel 1 or Parcel 2.

(6) Panhandle lots. Panhandle lot configurations shall not be utilized in new subdivisions. The Planning Commission may authorize exceptions from frontage requirements for panhandle lots in the R1 and R2 zones, only in established neighborhoods, provided that the following standards, applicable to all panhandle lots, are met:

This preliminary partition application proposes the creation of two (2) standard lots out of one (1) legal lot. This criterion is not applicable.

(F) Drainage. Where land in the partitioned or subdivision area is or will be periodically subject to accumulations of surface water or is traversed by any watercourse, channel, stream or creek, the planning commission may require the partitioner or subdivider to provide for adequate unrestricted drainage over drainage land by dedicating to the public easements therefore approved by the planning commission as adequate for the drainage needs of the area; or, where necessary, in the judgment of the planning commission, for protection of such needs, by conveying ownership of such drainage land for drainage purposes to the city.

The City of Junction City Local Wetland Inventory indicates that the subject property is not traversed by wetlands.

The applicant is proposing to delay submittal of stormwater drainage and utility plans until building permit for development on Assessor's Map 15-04-29-00 Tax Lot 02300, the site located south of the subject property, has been received. Since the subject site and Tax Lot 02300 are currently undeveloped, drainage and utility plans submitted prior to development of Tax Lot 02300 may be inadequate and unsuitable. Upon receipt of site plans for Tax Lot 02300 the applicant will submit stormwater drainage and utility plans as required.

(G) Railroads.

There are no railroads adjacent to the proposed partition; thus this section is not applicable. Given this fact, none of the subsections are included below.

(H) Partial development. Where the partitioned or subdivision area includes only a part of the tract owned by the partitioner or subdivider, the planning commission may require a sketch of a tentative layout of streets in the remainder of said tract.

Assessor's Map 15-04-29-00 Tax lot 01301 located north of the site outside of Junction City's urban growth boundary is under the same ownership, Norman Family Properties, LLC, as the subject property; however it is not involved in this application.

(I) Recreational area. The planning commission, after council approval first having been obtained, may require, as a condition of approval of the subdivision, either:

(1) The dedication of land for park and recreational purpose of an amount equal to a ratio of not less than one acre of recreational area to every one hundred people of the ultimate population in the subdivision; or

(2) The payment to the city of a sum as established by the resolution adopting park systems development charges for each living unit permitted to be constructed within the subdivision. Payment of the charge shall be made at the time the building permit for construction of each living unit is issued by the city. The amount of the charge shall be that prescribed in the parks systems development resolution in effect at the time the individual permit is issued. In exercising the discretion of requiring the dedication of land or the payment of money, the commission shall consider recreational needs of the ultimate population of the subdivision and the extent to which a dedication of land under the above rate would fulfill those needs. All moneys received from

the above provision shall be deposited in the recreational reserve area fund and shall be expended from that fund for the purpose of purchasing recreational land and making improvements thereof.

This application is for a minor partition and not a subdivision; thus this standard is not applicable.

*(J) **Building lots filled.** All building lots shall be filled in accordance with accepted engineering practice. All fill shall be placed in accordance with Chapter 70 of Oregon Structural, Specialty and Fire and Life Safety Code.*

The subject property is fairly flat and thus no fill is proposed for the building lots and development plans for this proposed preliminary partition are purely conceptual at this point. There is no development planned with this preliminary partition process except for the creation of new lot lines. However, if any fill is needed than it will be in compliance with accepted engineering practices and the Oregon Structural Specialty Code.

*(K) **Finish floor elevations.** Finish floor elevations shall be established for all buildings on the final plat in accordance with elevations established by and for the city of Junction City.*

The property owner and applicant understand this final plat standard.

*(L) **Utility access.** All accesses to utilities are to be brought to finish grade.*

All of the accesses to utilities when constructed will be brought to finished grade.

This minor partition application clearly meets all standards of the Junction City Municipal Code and thus the applicant respectfully requests that the Planning Commission approve this application. If there are any questions, please do not hesitate to contact Scott Morris, PE at Olson & Morris via email (scott@olsonmorris.com) or by phone (Office 541.302.9790).

Appendix

Figure 1. Access Easement Area

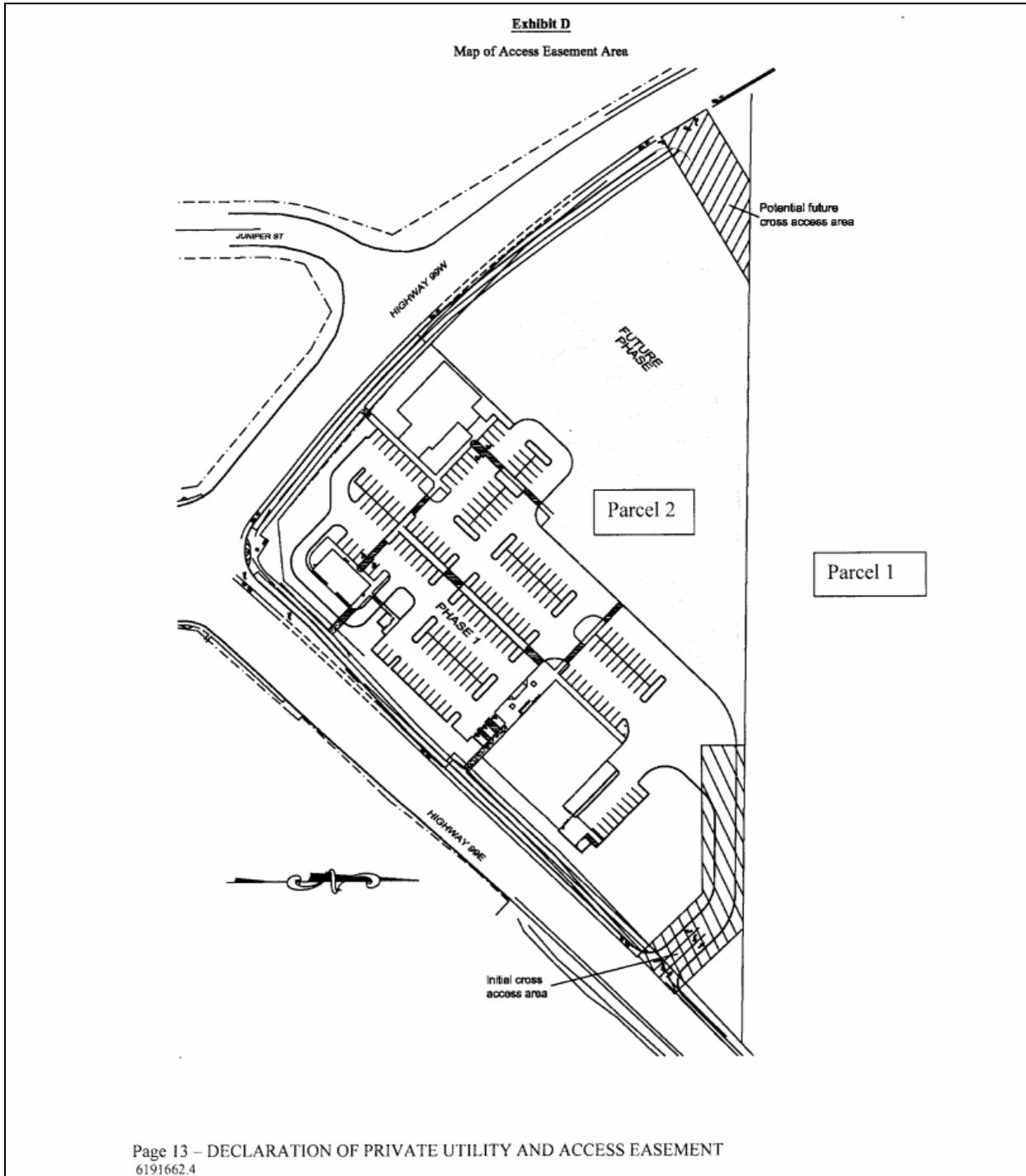
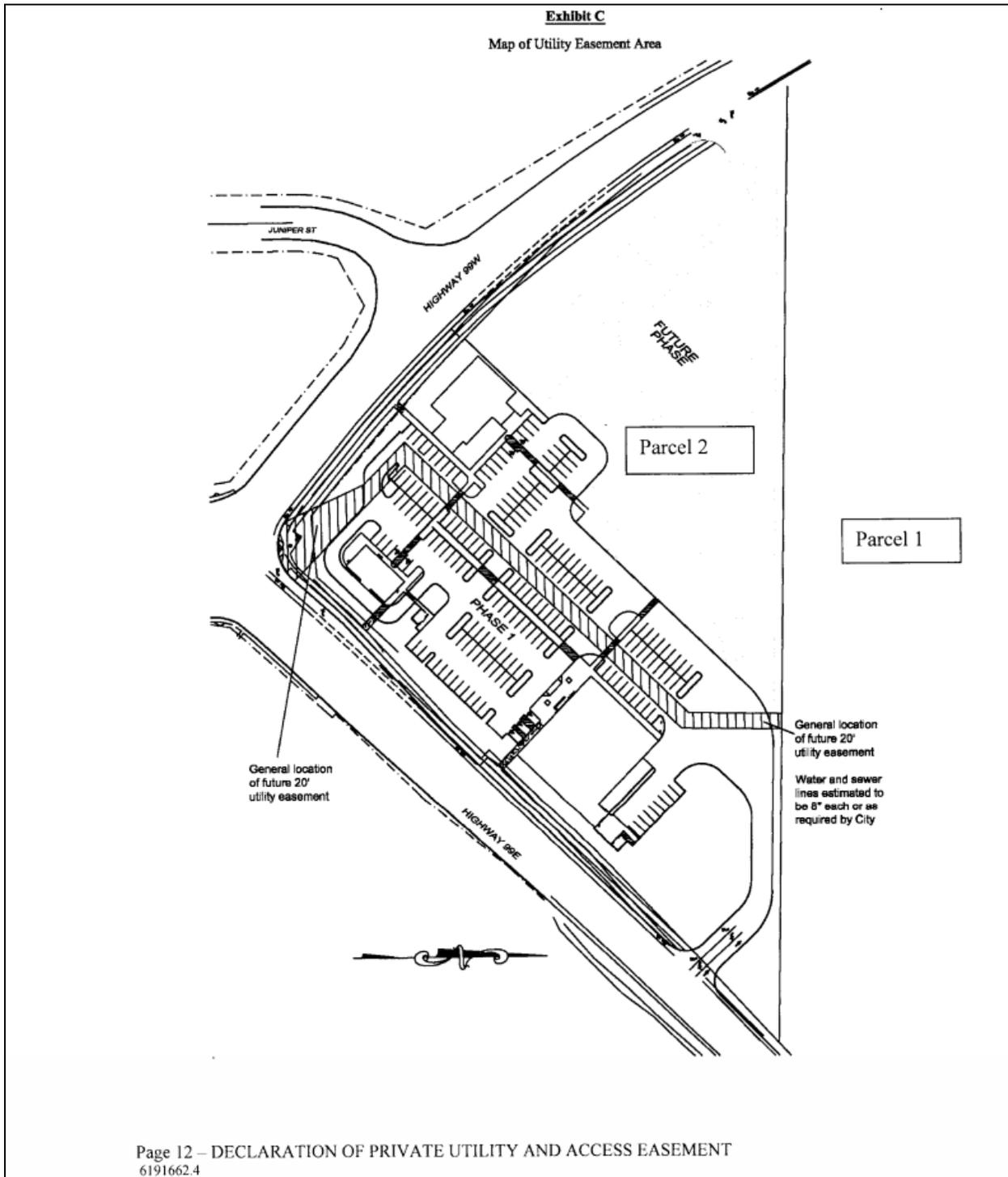


Figure 2. Map of Utility Easement Area





STATUS OF RECORD TITLE REPORT

MOORE & VAN ALLEN
ATTN: JANET H. MADAY
100 NORTH TRYON STREET, STE. 4700
CHARLOTTE, NC 28202

Date: AUGUST 29, 2017
Our No: CT-0303502
Your No: --
Charge: \$300.00

As requested, Cascade Title Co. has searched our tract indices as to the following described real property:

(A T T A C H E D)

and as of: AUGUST 22, 2017 at 8:00 A.M., we find the following:

Vestee:

NORMAN FAMILY PROPERTIES, LLC,
an Oregon limited liability company

Said property is subject to the following on record matters:

- 1. Taxes for the fiscal year 2017-2018, a lien not yet payable.
2. City liens, if any, as levied by the City of Junction City for which no search was made.
3. As disclosed by the tax rolls, the premises herein described have been zoned or classified for farm use. At any time that said land is disqualified for such use, the property will be subject to additional taxes or penalties and interest.
4. Easement, including the terms and provisions thereof, granted to Junction City Water Control District, a municipal corporation, by instrument recorded May 7, 1979, Reception No. 1979-026880, Lane County Official Records.
5. Easement, including the terms and provisions thereof, granted to Pacific Northwest Bell Telephone Company, by instrument recorded April 17, 1987, Reception No. 1987-016388, Lane County Official Records.
6. Easement, including the terms and provisions thereof, granted to State of Oregon, by and through its Department of Transportation, Highway Division, by instrument recorded October 22, 1992, Reception No. 1992-059739, Lane County Official Records.
7. Easement, including the terms and provisions thereof, granted Pacific Northwest Bell Telephone Company, by instrument recorded March 13, 1987, Reception No. 1987-011112, Lane County Official Records.

MAIN OFFICE

811 WILLAMETTE ST.
EUGENE, OREGON 97401

PH: (541) 687-2233 * FAX: (541) 485-0307
E-MAIL: INFO@CASCADETITLE.COM

FLORENCE OFFICE

715 HWY 101 * FLORENCE, OREGON 97439

MAILING: PO BOX 508 * FLORENCE, OREGON 97439

PH: (541) 997-8417 * FAX: (541) 997-8246
E-MAIL: FLORENCE@CASCADETITLE.COM

VILLAGE PLAZA OFFICE

4750 VILLAGE PLAZA LOOP SUITE 100
EUGENE, OREGON 97401

PH: (541) 653-8622 * FAX: (541) 844-1626
E-MAIL: VILLAGEPLAZA@CASCADETITLE.COM

8. Annexation Agreement, including the terms and provisions thereof, between the City of Junction City, and Norman Family Properties, LLC, recorded February 22, 2007, Reception No. 2007-012246, Lane County Deeds and Records.
9. Easement as set forth in Notice of Supplemental Final Order and Judgment, including the terms and provisions thereof, recorded November 3, 2008, Reception No. 2008-060033, Lane County Deeds and Records.
10. We are advised that a property line adjustment is in process. This report will be amended at such time Cascade Title Company is provided a legal description of the intended parcel. Said amended report may be subject to additional matters as may be disclosed or imposed by the property line adjustment.

NOTE: Taxes, Account No. 0004646, Assessor's Map No. 15 04 29, #2200, Code 69-37, 2016-2017, in the amount of \$2,684.60, PAID IN FULL.

This report is to be utilized for information only. This report is not to be used as a basis for transferring, encumbering or foreclosing the real property described.

The liability of Cascade Title Co. is limited to the addressee and shall not exceed the premium paid hereunder.

CASCADE TITLE CO., by:

eh: Title Officer: KURT BEATY

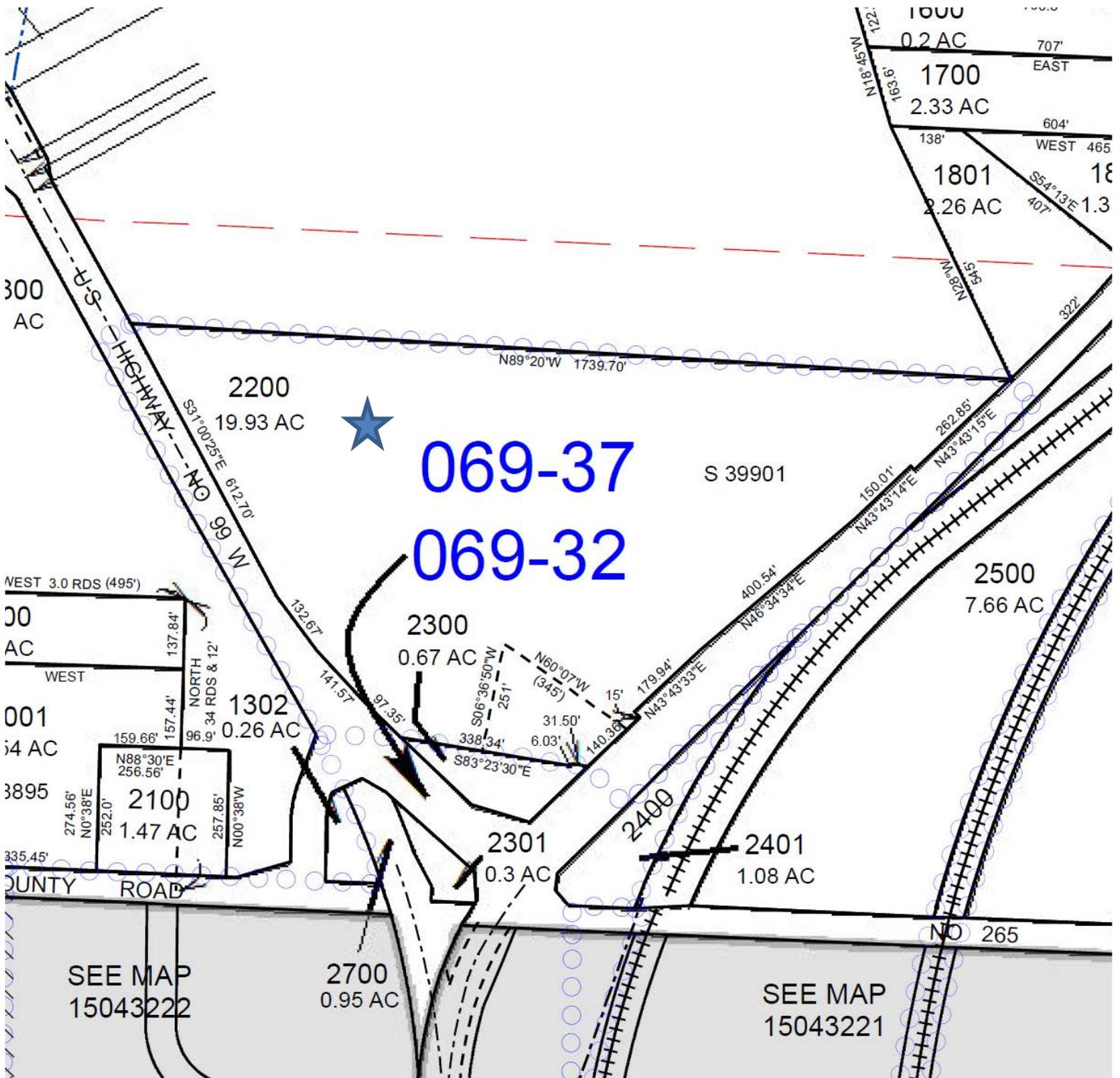
Cc: MOORE & VAN ALLEN
ATTN: JANET MADAY/CHARLIE HARMON

PROPERTY DESCRIPTION

A portion of the Southwest Quarter of Section 29, Township 15 South, Range 4 West of the Willamette Meridian, being more particularly described as follows: Commencing at the Southwest corner of said Section 29; thence North 18° 58' 30" East 1163.70 feet to the true point of beginning, said point being on the Easterly right of way of the Corvallis-Junction City Section of the Pacific Highway, said point also being 40.00 feet from, when measured at right angles to, the centerline of said highway; thence leaving said Easterly right of way, South 89° 20' 00" East 1739.71 feet to a point on the Westerly right of way of the Albany-Junction City Section of the Pacific Highway, said point being 30.00 feet from, when measured at right angles to, the centerline of said highway; thence following along said Westerly right of way, South 43° 43' 15" West 262.86 feet; thence North 46° 16' 45" West 10.00 feet to a point being 40.00 feet from, when measured at right angles to, the centerline of said highway; thence South 43° 43' 15" West 150.00 feet; thence South 46° 35' 00" West 400.49 feet to a point; being 60.00 feet from, when measured at right angles to, the centerline of said highway; thence South 43° 43' 15" West 180.00 feet; thence South 46° 21' 59" East 15.00 feet to a point being 45.00 feet from, when measured at right angles to, the centerline of said highway; thence South 43° 43' 15" West 140.38 feet; thence North 83° 39' 14" West 31.46 feet to a point 70.00 feet from, when measured at right angles to, the centerline of said highway; thence South 43° 43' 15" West 6.09 feet; thence leaving said Westerly right of way and following along the Northerly line of that parcel described as Parcel 1 in that certain Warranty Deed recorded May 16, 2001, Reception No. 2001-029598, Lane County Deeds and Records, North 83° 23' 30" West 345.35 feet to a point on the aforementioned Easterly right of way of the Corvallis-Junction City Section of the Pacific Highway, said point being 50.00 feet from, when measured at right angles to, the centerline of said highway; thence leaving said Northerly line and following along said Easterly right of way, along a 50.00 foot offset spiral curve to the right having an 'A' Value of 1.0, an Arc distance of 91.61 feet (the chord of which bears North 46° 16' 12" West 91.60 feet); thence North 45° 58' 12" West 141.57 feet to a point being 40.00 feet from, when measured at right angles to, the centerline of said highway; thence, North 38° 56' 57" West 132.67 feet to a point being 34.68 feet from, when measured at right angles to, the centerline of said highway; thence North 31° 00' 25" West 612.70 feet to the true point of beginning, all within said Section 29, Junction City, in Lane County, Oregon.

CASCAD E CASCAD E TITLE CO.

MAP NO.
15-04-29-00



THIS MAP/PLAT IS BEING FURNISHED AS AN AID IN LOCATING THE HEREIN DESCRIBED LAND IN RELATION TO ADJOINING STREETS, NATURAL BOUNDARIES AND OTHER LAND, AND IS NOT A SURVEY OF THE LAND DEPICTED. EXCEPT TO THE EXTENT A POLICY OF TITLE INSURANCE IS EXPRESSLY MODIFIED BY ENDORSEMENT, IF ANY, THE COMPANY DOES NOT INSURE DIMENSIONS, DISTANCES, LOCATION OF EASEMENTS, ACREAGE OR OTHER MATTERS SHOWN THEREON.

7926880

2100

E A S E M E N T

BLANCHE E. HANNA, NORMA ELLA FISHER, AKA NORMA ELLA WHITE, DONALD W. FISHER and GERALD L. FISHER, Grantors, convey to JUNCTION CITY WATER CONTROL DISTRICT, a municipal corporation of the State of Oregon, Grantee, an easement in, over and upon the following-described land situated in the County of Lane, State of Oregon, described as:

1. A parcel of land in the Southwest quarter of Section 29, Township 15 South, Range 4 West of the Willamette Meridian in Lane County, Oregon, being a portion of that tract of land conveyed by that certain deed to Blanche E. Hanna and Norma Ella White, each an undivided 1/3 interest and Donald W. Fisher and Gerald L. Fisher, each an undivided 1/6 interest, as recorded December 28, 1976 on Reel 827, Instrument No. 7668744, Lane County Oregon Deed Records. Said parcel being all that portion of said property included in a strip of land variable in width on each side of the centerline of Channel F-1 improvement as said centerline has been located over and across said property by the agents of the Junction City Water Control District, said centerline being described as follows:

B 5 + 9 N 9650 0021.00

Beginning at Engineer's Centerline Station 116+51.16, said Engineer's Centerline Station being 433.24 feet South and 760.83 feet East of the Southeast corner of Section 30 in Township 15 South, Range 4 West of the Willamette Meridian in Lane County, Oregon; from said Engineer's Centerline Station run North 60°40' West 56.81 feet to Engineer's Centerline Station 117+07.97 P.C.; thence along the arc of a 143.24' radius curve left (the long chord of which bears North 74°20' West 67.69 feet) a distance of 68.33 feet to Station 117+76.30 P.T.; thence North 88°00' West 208.13 feet to Station 119+84.43 P.C.; thence along the arc of a 229.18 foot radius curve right (the long chord of which bears North 63°41' West 188.74 feet) a distance of 194.53 feet to Engineer's Centerline Station 121+78.96 PT; thence North 39°22' West 6.86 feet to Station 121+85.82 PC; THENCE ALONG THE ARC OF A 260.44 FOOT RADIUS CURVE LEFT (THE LONG CHORD OF WHICH BEARS NORTH 63°35'30" WEST 213.73 FEET) A DISTANCE OF 220.23 FEET TO STATION 124+06.05 P.T.; THENCE NORTH 87°49' WEST 682.38 FEET TO STATION 130+88.43 P.C.; THENCE ALONG THE ARC OF A 45.84 FOOT RADIUS CURVE RIGHT (THE LONG CHORD OF WHICH BEARS NORTH 43°51' WEST 63.65 FEET) A DISTANCE OF 70.35 FEET TO STATION 131+58.78 P.T.; THENCE NORTH 0°07' EAST 504.30 FEET TO STATION 136+63.08 P.C.; THENCE ALONG THE ARC OF A 286.48' RADIUS CURVE RIGHT (THE LONG CHORD OF WHICH BEARS NORTH 23°05' 30" EAST 223.64 FEET) A DISTANCE OF 229.75 FEET TO STATION 138+92.83 P.T.; THENCE NORTH 46°04' EAST 88.20 FEET TO STATION 139+81.03 P.C.; THENCE ALONG THE ARC OF A 520.87 FOOT RADIUS CURVE LEFT (THE LONG CHORD OF WHICH BEARS NORTH 30°59'30" EAST 270.94 FEET) A DISTANCE OF 274.05 FEET TO STATION 142+55.08 P.T.; THENCE NORTH 15°55' EAST 452.03 FEET TO STATION 147+07.11 P.C.; THENCE ALONG THE ARC OF A 143.24 FOOT RADIUS CURVE RIGHT (THE LONG CHORD OF WHICH BEARS NORTH 43°15'30" EAST 131.58 FEET) A DISTANCE OF 136.71 FEET TO STATION 148+43.82 P.T.; THENCE NORTH 70°36' EAST 209.78 FEET TO STATION 150+53.60 P.C.; THENCE ALONG THE ARC OF A 39.51 FOOT RADIUS CURVE LEFT (THE CHORD OF WHICH BEARS NORTH 41°10'30" EAST 38.02 FEET) A DISTANCE OF 40.59 FEET TO STATION 150+94.19 P.T.; THENCE ALONG THE ARC OF A 39.51' RADIUS CURVE RIGHT (THE CHORD OF WHICH BEARS NORTH 36°24'30" EAST 32.97 FEET) A DISTANCE OF 34.01 FEET TO STATION 151+28.20 P.T.; THENCE NORTH 61°04' EAST 49.53 feet to Station 151+77.73 P.C.; thence along the arc of a 49.82 foot radius curve left (the chord of which bears North 16°00'30" East 70.53 feet) a distance

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of 78.36 feet to Station 152+56.09 P.T.; thence North 29°03' West 61.83 feet to Station 153+17.92 P.C.; thence along the arc of a 286.48 foot radius curve right (the chord of which bears North 13°57'30" West 149.18 feet) a distance of 150.92 feet to Station 154+68.84 P.T.; thence North 01°08' East 823.76 feet to Station 162+92.60 P.I. BK= Station 164+05.63 AHD.; thence North 27°31' West 377.97 feet to Station 167+83.60 PI; THENCE NORTH 26°50' WEST 390.71 FEET TO STATION 171+74.31 P.C.; THENCE ALONG THE ARC OF A 572.96 FOOT RADIUS CURVE RIGHT (THE CHORD OF WHICH BEARS NORTH 20°43'30" WEST 121.94 FEET) A DISTANCE OF 122.17 FEET TO STATION 172+96.48 P.T.; THENCE NORTH 14°37' WEST 453.77 FEET TO STATION 177+50.25 P.C.; THENCE ALONG THE ARC OF A 20.10 FOOT RADIUS CURVE LEFT (THE CHORD OF WHICH BEARS NORTH 59°02' WEST 28.13 FEET) A DISTANCE OF 31.17 FEET TO STATION 177+81.42 P.T.; THENCE SOUTH 76°33' WEST 29.98 FEET TO STATION 178+11.40 P.C.; THENCE ALONG THE ARC OF A 30.16 FOOT RADIUS CURVE RIGHT (THE CHORD OF WHICH BEARS NORTH 59°02' WEST 42.22 FEET) A DISTANCE OF 46.75 FEET TO STATION 178+58.15 P.T.; THENCE NORTH 14°37' WEST 212.65 FEET TO STATION 180+70.80 P.C.; THENCE ALONG THE ARC OF A 95.49 FOOT RADIUS CURVE LEFT (THE CHORD OF WHICH BEARS NORTH 51°24' WEST 114.36 FEET) A DISTANCE OF 122.61 FEET TO STATION 181+93.41 P.T.; THENCE NORTH 88°11' WEST 179.43 FEET TO STATION 183+72.84 P.C.; THENCE ALONG THE ARC OF A 301.56 FOOT RADIUS CURVE RIGHT (THE CHORD OF WHICH BEARS NORTH 66°31' WEST 222.59 FEET) A DISTANCE OF 227.98 FEET TO STATION 186+00.82 P.T.; THENCE NORTH 44°53' WEST 5.28 FEET TO STATION 186+06.10 P.C.; THENCE ALONG THE ARC OF A 358.10 FOOT RADIUS CURVE LEFT (THE CHORD OF WHICH BEARS NORTH 61°32' WEST 205.41 FEET) A DISTANCE OF 208.33 FEET TO STATION 188+14.43 P.T.; THENCE NORTH 78°12' WEST 137.04 FEET TO STATION 189+51.47 P.C.; THENCE ALONG THE ARC OF A 163.70 FOOT RADIUS CURVE RIGHT (THE CHORD OF WHICH BEARS NORTH 53°37' WEST 136.20 FEET) A DISTANCE OF 140.48 FEET TO STATION 190+91.95 BK=109+91.43 A.H.D.; THENCE NORTH 29°02' WEST 2568.58 FEET TO STATION 215+60.01 P.C.; THENCE ALONG THE ARC OF A 47.75 FOOT RADIUS CURVE RIGHT (THE CHORD OF WHICH BEARS NORTH 7°26'30" WEST 35.14 FEET) A DISTANCE OF 35.99 FEET TO STATION 215+96.00 P.T.; THENCE NORTH 14°09' EAST 621.57 FEET TO STATION 222+17.57 P.C.; THENCE ALONG THE ARC OF A 358.10 FOOT RADIUS CURVE LEFT (THE CHORD OF WHICH BEARS NORTH 5°51'30" EAST 103.20 FEET) A DISTANCE OF 103.65 FEET TO STATION 223+21.22 P.T.; THENCE NORTH 2°26' WEST 126.99 FEET TO STATION 224+48.26 P.C.; THENCE ALONG THE ARC OF A 400.26 FOOT RADIUS CURVE LEFT (THE CHORD OF WHICH BEARS NORTH 7°34' WEST 73.24 FEET) A DISTANCE OF 73.33 FEET TO STATION 225+21.59 P.T.; THENCE NORTH 12°42' WEST 51.01 FEET TO STATION 225+72.60 P.C.; THENCE ALONG THE ARC OF A 716.20 FOOT RADIUS CURVE RIGHT (THE LONG CHORD OF WHICH BEARS NORTH 2°40' WEST 249.55 FEET) A DISTANCE OF 250.83 FEET TO STATION 228+23.43 P.T.; THENCE NORTH 7°22' EAST 40.25 FEET TO STATION 228+63.68 P.C.; THENCE ALONG THE ARC OF A 716.20 FOOT RADIUS CURVE RIGHT (THE CHORD OF WHICH BEARS NORTH 33°59'30" EAST 641.93 FEET) A DISTANCE OF 665.63 FEET TO STATION 235+29.31 P.T.; THENCE NORTH 60°37' EAST 216.43 FEET TO STATION 237+45.74 P.C.; THENCE ALONG THE ARC OF A 572.96 FOOT RADIUS CURVE LEFT (THE LONG CHORD OF WHICH BEARS NORTH 53°00'30" EAST 151.72 FEET) A DISTANCE OF 152.17 FEET TO STATION 238+97.91 P.T.; THENCE NORTH 45°24' EAST 288.16 FEET TO STATION 241+86.07 P.C.; THENCE ALONG THE ARC OF A 572.96 FOOT RADIUS CURVE LEFT (THE CHORD OF WHICH BEARS NORTH 38°13' EAST 143.29 FEET) A DISTANCE OF 143.67 FEET TO STATION 243+29.74 P.C.; THENCE NORTH 31°02' EAST 2.66 FEET TO STATION 243+32.40 P.C.; THENCE ALONG THE ARC OF A 572.96 FOOT RADIUS CURVE RIGHT (THE CHORD OF WHICH BEARS NORTH 36°02' EAST 99.87 FEET) A DISTANCE OF 100.0 FEET TO STATION 244+32.40 P.T.; THENCE NORTH 41°02' EAST 408.48 FEET TO STATION 248+40.88 P.C.; THENCE ALONG THE ARC OF A 95.49 FOOT RADIUS CURVE LEFT (THE CHORD OF WHICH BEARS NORTH 14°38'30" EAST 84.89 FEET) A DISTANCE OF 87.97 FEET TO STATION 249+28.85 P.T.; THENCE NORTH 11°45' WEST 51.93 FEET TO STATION 249+80.78; THENCE ALONG THE ARC OF A 440.74 FOOT RADIUS CURVE LEFT (THE CHORD OF WHICH BEARS NORTH 27°41' WEST 241.98 FEET) A DISTANCE OF 245.13 FEET TO STATION 252+25.91 P.T.; THENCE

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NORTH 43°37' WEST 373.63 FEET TO STATION 255+99.54 P.C.; THENCE ALONG THE ARC OF A 572.96 FOOT RADIUS CURVE RIGHT (THE CHORD OF WHICH BEARS NORTH 37°48'30" WEST 115.97 FEET) A DISTANCE OF 116.17 FEET TO STATION 257+15.71 P.T.; THENCE NORTH 32°00' WEST 131.88 FEET TO STATION 258+47.59 P.C.; THENCE ALONG THE ARC OF A 95.47 FOOT RADIUS CURVE LEFT (the long chord of which bears North 49°33' West 57.59 feet) a distance of 58.50 feet to Station 259+06.09; thence North 67°06' West 114.21 feet to Station 260+20.30 P.C.; thence along the arc of a 76.39 foot radius curve right (the long chord of which bears North 32°49' West 86.06 feet) a distance of 91.42 feet to Station 261+11.72 P.T.; thence North 1°28' East 19.41 feet to Station 261+31.13 BK=261+28.93 A.H.D.

THE BEARINGS USED HEREIN ARE BASED UPON THE OREGON COORDINATE SYSTEM, SOUTH ZONE.

THE WIDTH IN FEET OF THE STRIP OF LAND ABOVE REFERRED TO IS AS FOLLOWS:

<u>STATION TO STATION</u>	<u>WIDTH ON WESTERLY SIDE OF CENTERLINE</u>	<u>WIDTH ON EASTERLY SIDE OF CENTERLINE</u>
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166+51.16 to 132+99.72 132+99.72 TO WEST RIGHT OF WAY OF TOFTDAHL ROAD (COUNTY ROAD NO. 694)	45.0 Feet	30.0 Feet
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150+00 TO SOUTHERLY RIGHT OF WAY OF O.S.H.D. HWY 99 WEST (APPROXIMATE STATION 151+21.43)	40.0 FEET	30.0 FEET
150+00 TO 151+28.20		40.0 FEET

ALL THAT PORTION LYING EAST OF THE EAST RIGHT OF WAY OF TOFTDAHL ROAD AND THE SOUTHERLY R/W OF U.S. HIGHWAY 99W.

151+28.20 to 167+83.60		40.0 feet
	All that portion lying East of the Easterly R/W of O.S.H.D. Hwy. 99W and Toftdahl Rd. (County Road No. 694.)	

167+83.60 to 177+90 177+90 TO EASTERLY RIGHT OF WAY OF HIGHWAY 99W (APPROXIMATE STATION 190+90)	25.0 feet	40.0 feet
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STATION TO STATION

WIDTH ON WESTERLY SIDE OF CENTERLINE

WIDTH ON EASTERLY SIDE OF CENTERLINE

197+00 TO 215+78.91
215+78.91 TO 248+60
248+60 TO 259+40.42

45.0 FEET

43.0 FEET

35.0 FEET

FLOWAGE EASEMENT

FLOWAGE EASEMENT

ELEVATION 302.5

ELEVATION 302.5

(ELEVATIONS BASED ON COAST AND GEODETIC 1963 ADJUSTMENT, LINN COUNTY)

258+71.79 TO 261+31.13

45.0 FEET

NORTHERLY TO A POINT ON THE SOUTHERLY RIGHT OF WAY OF LINGO LANE THAT IS 210 FEET EAST OF THE INTERSECTION OF THE CENTERLINE OF SAID EASTMENT WITH THE SOUTHERLY RIGHT OF WAY LINE OF LINGO LANE TAPERING TO NOTHING

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2. ALSO A STRIP OF LAND FOR A CONSTRUCTION EASEMENT AND DISPOSAL AREA ADJACENT TO THE WESTERLY AND EASTERLY RIGHT OF WAY LINES OF THE ABOVE DESCRIBED CHANNEL EASEMENT. THE WIDTH IN FEET OF THE ABOVE REFERRED TO IS AS FOLLOWS:
LAND

<u>STATION TO STATION</u>	<u>WIDTH ON WESTERLY SIDE OF CHANNEL RIGHT OF WAY</u>	<u>WIDTH ON EASTERLY SIDE OF CHANNEL RIGHT OF WAY</u>
120+00.00 to 123+00	Easement B/W to city limits	
124+06.05 TO 131+32.65		110.0 FEET
132+99.72 TO 141+21.33		150.0 FEET
141+21.33 TO 147+7.11		150.0 FEET TAPERING TO NOTHING AT STATION 147+7.11
124+06.05 to 129+00.00	550.0 feet	
139+81.03 TO 148+50	130.0 FEET	
148+50 TO 150+00	130.0 FEET TAPERING TO 55.0 FEET	
151+77.73 to 162+92.60		75' at Station 151+77.73 and running W 4°48' to S R/W Link Lan (155' at Sta. 162 92.60)
164+05.63 to 166+81.18		To Easterly property line 300.0 feet
166+81.18 to 177+69.95		85.0 FEET AND RUNNING NORTH PARALLEL TO TOFT DAHL RD FOR 160' NORTH OF EASEMENT R/W AT INTERSECTION WITH EAST R/W OF TOFTDAHL ROAD
177+50.25		
178+11.40 TO 190+26.36	100.0 FEET	

<u>STATION TO STATION</u>	<u>WIDTH ON WESTERLY SIDE OF CHANNEL RIGHT OF WAY</u>	<u>WIDTH ON EASTERLY SIDE OF CHANNEL RIGHT OF WAY</u>
181+42.19 TO 191+20		100.0 FEET
197+00 TO 215+60.01		200.0 FEET
215+78.91 TO 248+60		400.0 FEET
215+96.00 TO 217+40	NOTHING TAPERING TO 135.0 FEET	
217+40 TO 221+20	135.0 FEET TAPERING TO NOTHING	

ALSO:
BEGINNING AT ENGINEER'S CENTERLINE STATION 726+55.62, SAID ENGINEER'S CENTERLINE STATION BEING 32.06 FEET NORTH AND 1038.67 FEET WEST OF THE SOUTHEAST CORNER OF SECTION 30 IN TOWNSHIP 15 SOUTH, RANGE 4 WEST OF THE WILLAMETTE-MERIDIAN; FROM SAID ENGINEER'S CENTERLINE STATION 726+55.62 RUN NORTH 25°07' EAST 30.24 FEET TO STATION 726+85.86 P.C.; THENCE ALONG THE ARC OF A 22.92 FOOT RADIUS CURVE RIGHT (the long chord of which bears North 58°44'30" East 23.10 Feet) a distance of 26.90 feet to Station 727+12.76 P.T.; thence South 87° 38' East 320.56 feet to station 730+33.32 P.C.; thence along the arc of a 30.16 foot radius curve left (the chord of which bears North 46°14' 30" East 41.30 feet) a distance of 48.55 feet to Station 730+81.87 and ending.

7326880

THE MEASUREMENTS USED HEREIN ARE BASED UPON THE OREGON COORDINATE SYSTEM, SOUTH ZONE.

THE WIDTH IN FEET OF THE STRIP OF LAND ABOVE REFERRED TO IS AS FOLLOWS:

<u>STATION TO STATION</u>	<u>WIDTH ON WESTERLY SIDE OF CENTERLINE</u>	<u>WIDTH ON EASTERLY SIDE OF CENTERLINE</u>
726+55.62 TO 730+33.32	38.0	TO NORTHERLY RIGHT OF WAY OF 10TH STREET

2. ALSO A STRIP OF LAND FOR CONSTRUCTION EASEMENT AND DISPOSAL AREA ADJACENT TO THE WESTERLY AND EASTERLY RIGHT OF WAY LINE OF THE ABOVE DESCRIBED CHANNEL EASEMENT. THE WIDTH IN FEET OF THE LAND ABOVE REFERRED TO IS AS FOLLOWS:

<u>STATION TO STATION</u>	<u>WIDTH ON WESTERLY SIDE OF CHANNEL RIGHT OF WAY</u>	<u>WIDTH ON EASTERLY SIDE OF CHANNEL RIGHT OF WAY</u>
726+55.62 TO 730+33.32	50.0 FEET	

for the construction, maintenance, operation, inspection and improvement of a channel for flood, drainage and irrigation canal purposes, such construction to include widening, deepening and straightening of said channel; for a waste soils disposal area needed in excavating and maintaining said channel; together with all rights of ingress and egress over the land above described necessary for the full and complete use, occupation and enjoyment of the easement hereby granted, and including the right from time to time to cut, trim and remove brush, trees and other obstructions which may injure or interfere with the Grantee's use or occupation of the land described in this easement and the operation, maintenance and repair of the channels for flood, drainage and irrigation canal purposes thereon.

Spoil shall be placed to fill the existing channel. Remaining spoil shall be spread smoothly to fill lows on the construction permit area.

Notwithstanding anything elsewhere herein to the contrary, grantee, agrees that in the easement area, all waste soils not used for filling and smoothing the channel and the depressions and irregular ground surfaces within the permanent easement area shall be scattered, smoothed and leveled so that the areas upon which said waste soil is placed may be plowed and farmed in the normal use of farm equipment; that any brush, trees or other obstructions cut and removed from the easement areas shall be piled and burned or otherwise removed from the easement areas so that the same may be farmed, that all smoothing, leveling, piling and burning to be at grantee's expense.

There is reserved to the Grantor, their heirs and assigns, the right and privilege to use the above-described land of the Grantor at any time, in any manner and for any purpose not inconsistent with the full use and enjoyment by the Grantee, its successors and assigns, of the rights and privileges herein granted. The Grantee is responsible for operating and maintaining the above-described works of improvement.

TO HAVE AND TO HOLD the aforesaid easement in, over and upon the land of the Grantor described in Paragraph No. 1 of the legal description above, with all the rights, privileges and appurtenances thereto belonging or in any wise appertaining, unto the Grantee, its successors and assigns, forever.

7326880

State of Oregon,
County of Lane—ss.

I, D.M. Penfold, Director of the Department of General Services, in and for the said County, do hereby certify that the within instrument was received for record at

9 MAY 79 11: 01

now right to Mr

Reel **992 R**

Lane County OFFICIAL Records.

D.M. Penfold, Director of the Department of



Deputy

C30-53



EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

Job 86-11358 M
R/W Reference 87050053

For and in consideration of \$ 200.00 the undersigned, hereinafter referred to as Grantor(s), hereby grants a perpetual easement to Pacific Northwest Bell Telephone Company, a Washington Corporation, its successors and assigns, hereinafter referred to as Grantee, with the right, privilege and authority to place, construct, maintain, inspect, reconstruct, repair, replace, remove and keep obstacles clear from Grantee's facilities consisting of Underground communication lines

and other appurtenances as the Grantee may from time to time require over, across, upon and under the hereinafter described property situated in Lane County, State of Oregon and is described as follows:

A strip of land ten (10) in width and lying parallel to and westerly of Highway 99E and being a portion of the following described property:

Beginning at a point on the westerly right-of-way line of Harrisburg-Junction City Section of the Pacific Highway, said point being opposite and 30.0 feet distant North 46° 02' West from Engineers centerline station 1572.76.11 and also being 266.51 feet North and 1,341.93 feet East of the Southwest corner of section 29 in Township 15 South, Range 4 West of the Willamette Meridian, and running thence along said westerly line of the Highway North 43° 58' East 135.0 feet, thence North 60° 07' West 363.48 feet, thence South 60° 36' 30" West 251.0 feet, thence South 83° 23' 30" East 252.0 feet to the place of beginning, containing 1.27 acres more or less in Lane County, Oregon

Grantee shall at all times have the right of full and free ingress to and egress from said property described above, with the understanding that Grantee shall be responsible for all damage caused to Grantor arising from Grantee's exercise of the rights and privileges herein granted.

Grantor reserves the right to use the easement for any purposes as long as not inconsistent with nor an interference with the rights granted Grantee herein.

The rights, conditions and provisions of this easement shall inure to the benefit of and be binding upon the heirs, executors, administrators, successors and assigns of the respective parties hereto.

In witness whereof the undersigned has executed this instrument this 17th day of February 1987

Witness: _____

By: Norma E. Fisher
Power of Attorney _____
4781A-001 03/13/87 REC 11.00
0005

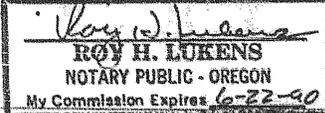


(Individual Acknowledgement)

State of Oregon }
County of Lane } ss

On this day personally appeared before me Donald W. Fisher, Power of Attorney
for Norma E. Fisher
known to me to be the individual _____ who executed the foregoing instrument, and acknowledged that he signed the same as his free and voluntary act and deed, for the uses and purposes herein mentioned.

Given under my hand and official seal this 17th day of February 1987



Notary Public in and for the State of Oregon
residing at 19037 60th Pl. NE, Seattle, WA
My commission expires 6-22-90

(Corporate Acknowledgement)

State of _____ }
County of _____ } ss

On this day personally appeared before me _____
who did say he/she is the _____

of the corporation that executed the foregoing instrument, and acknowledged said instrument to be the free and voluntary act and deed of said corporation, for the uses and purposes therein mentioned, and on oath stated that _____ was/were authorized to execute said instrument on behalf of the corporation.

Given under my hand and official seal this _____ day of _____, 19____

Notary Public in and for the State of _____
residing at _____

Accepted by A. G. [Signature]
Right-of-Way Manager

8711112

State of Oregon,
County of Lane--ss.

I, the County Clerk, in and for the said
County, do hereby certify that the within
instrument was received for record at

1987 JUN 27 11 38 AM '87

Reel 1450R

Lane County OFFICIAL Records.
Lane County Clerk

Chief Deputy

8711112

RETURN TO GRANTEE AT
PACIFIC NORTHWEST BELL TELEPHONE CO.
Public Utility Department
1600 Seventh Avenue, Room 1703
Seattle, Washington 98191

TO
Pacific Northwest Bell Telephone Company

EASEMENT
(Short Form)

Grantee will restore property damaged by construction
of the buried cable.

8716388 EASEMENT

998-8000 Fisher, Norma (10)

Job 8611358

R/W Reference 87050063

KNOW ALL MEN BY THESE PRESENTS:

For and in consideration of \$400.00 RWH, the undersigned, hereinafter referred to as Grantor(s), hereby grants a perpetual easement to Pacific Northwest Bell Telephone Company, a Washington Corporation, its successors and assigns, hereinafter referred to as Grantee, with the right, privilege and authority to place, construct, maintain, inspect, reconstruct, repair, replace, remove and keep obstacles clear from Grantee's facilities consisting of underground communication lines and above ground cabinets.

and other appurtenances as the Grantee may from time to time require over, across, upon and under the hereinafter described property situated in Lane County, State of Oregon and is described as follows:

A strip of land ten (10) feet in width and lying parallel to and westerly of Highway 99E and being a portion of the following described property:

Beginning at a point on the North line of the Southwest 1/2 of Section 29, Township 15 South, Range 4 West of the Willamette Meridian, that is 887.0 feet West of the point of intersection of the Westerly right of way of the Harrisburg-Junction City Section of the Pacific Highway, and the East-West center line through said Section 29 (said place of beginning being the Northwest corner of that tract of land as conveyed to William Claridge and wife, by instrument recorded April 24, 1944, in Book 266, Page 289, Lane County Oregon Deed Records); thence South 208.71 feet to the Northwest corner of that tract as conveyed to Arthur Graville and wife by instrument recorded December 31, 1946, in Book 338, Page 559, Lane County Oregon Deed Records; thence along the westerly line of said Graville tract South 208.71 feet and South 8°30' East 388.0 feet to the Northwest corner of that tract of land as conveyed to Max Keith Wall and wife, as recorded August 21, 1939, in Book 198, Page (Over)

Grantee shall at all times have the right of full and free ingress to and egress from said property described above, with the understanding that Grantee shall be responsible for all damage caused to Grantor arising from Grantee's exercise of the rights and privileges herein granted.

Grantor reserves the right to use the easement for any purposes as long as not inconsistent with nor an interference with the rights granted Grantee herein.

The rights, conditions and provisions of this easement shall inure to the benefit of and be binding upon the heirs, executors, administrators, successors and assigns of the respective parties hereto.

In witness whereof the undersigned has executed this instrument this 17th day of February, 1987

Accepted by M. L. Clapham Right-of-Way Manager

FORM APPROVED Date: 3/21/87 By: Legal Department Pacific Northwest Bell

By: Norma E. Fisher [Redacted Signature]

(Individual Acknowledgement)

(Corporate Acknowledgement)

State of Oregon } ss County of Lane

State of Oregon } ss County of **0005** REC 15.00

On this day personally appeared before me Donald W. Fisher, Power of Attorney for Norma E. Fisher, Donald W. Fisher & Gerald L. Fisher known to me to be the individual who executed the foregoing instrument, and acknowledged that they signed the same as their free and voluntary act and deed, for the uses and purposes herein mentioned.

On this day personally appeared before me who did say he/she is the

Given under my hand and official seal this 17th day of February, 1987

of the corporation that executed the foregoing instrument, and acknowledged said instrument to be the free and voluntary act and deed of said corporation, for the uses and purposes therein mentioned, and on oath stated that was/were authorized to execute said instrument on behalf of the corporation.

ROD H. LUKENS NOTARY PUBLIC - OREGON My Commission Expires 6-22-90

Given under my hand and official seal this ___ day of ___, 19__

Notary Public in and for the State of Oregon residing at 19037 60th Pl. NE

Notary Public in and for the State of ___ residing at ___

EASEMENT
(Short Form)

TO
Pacific Northwest Bell Telephone Company

8716388

RETURN TO GRANTEE AT

PACIFIC NORTHWEST BELL TELEPHONE CO.

Right of Way Department
1600 Seventh Avenue, Room 1703
Seattle, Washington 98191

616, Lane County Oregon Deed Records; thence South 18° 45' East along the West line of said Wall tract 122.9 feet to the Northwest corner of that tract as conveyed to Tri County Grange Supply as recorded March 3, 1942, in Book 228, Page 319, Lane County Oregon Deed Records; thence South 18° 45' East along the West line of said Grange tract 163.6 feet to the Northwest corner of that tract as conveyed to Sam J. Berryhill and wife as recorded April 10, 1940 in Book 202, Page 468, Lane County Oregon Deed Records; thence South 28° East along the Westerly line of said Berryhill tract 555.0 feet to a point on the Westerly right of way of said Pacific Highway; thence Southwesterly along the Westerly right of way of said Highway to the Northeast corner of that Parcel No. 1 of the tracts as conveyed to Norma E. Fisher by instrument recorded August 11, 1952, Reception No. 82208, Lane County Oregon Deed Records; thence North 60° 07' West 363.48 feet to the Northwest corner of said Fisher tract; thence South 6° 36' 30" West 251 feet to the North line of that tract as conveyed to D. L. Smith and wife by instrument recorded March 10, 1947, in Book 344, Page 86, Lane County Oregon Deed Records; thence North 83° 23' 30" West along the North line of said Smith tract to a point on the Easterly right of way of the Corvallis-Junction City Section of the Pacific Highway; thence Northwesterly along the Easterly right of way of said Highway to a point on the West line of Section 29 of said Township and Range; thence North along the West line of the Southwest ¼ of Section 29 to the Northwest corner thereof; thence East along the North line of the Southwest ¼ of Section 29 to the palce of beginning, in Lane County, Oregon;

ALSO: Beginning at the point of intersection of thw Westerly right of way of the Corvallis-Junction City Section of the Pacific Highway with the West line of Section 29, Township 15 South, Range 4 West of the Willamette Meridian and running thence Southeasterly along the Westerly right of way of said Highway to the South line of said Section 29; thence West along the South line of said Section 29 to the Southeast corner of Parcel No. 2 of that tract of land as conveyed to Norma E. Fisher by instrument recorded August 11, 1952, Reception No. 82208, Lane County Oregon Deed Records; thence North 0° 38" West 275.85 feet to the Northeast corner of said Fisher tract; thence North 88° 30' West 96.9 feet to a point on the East line of that tract as conveyed to Ida Mable Nielson by instrument recorded December 4, 1937, in Book 193, Page 188, Lane County Oregon Deed Records; thence North to the Northeast corner of said Nielson tract; thence West along the North line of said Neilson tract 30.0 rods to a point on the West line of said Section 29, which is 34.0 rods and 12.0 feet North of the Southwest corner thereof; thence North along the West line of the Southwest ¼

(see attached piece of paper)

of said Section 29 to the place of beginning, in Lane County, Oregon; EXCEPT that portion described in deed to Lane County, Oregon, recorded March 15, 1979, Reception No. 7915063, Lane County Oregon Records; ALSO EXCEPT that portion described in deed to Lane County, Oregon, recorded August 30, 1979, Reception No. 7952138, Lane County Oregon Records.

DW
KAL

Grantee will pay crop damage, in advance 20' in width, paralleling US Highway 99E.

DW
KAL

Grantee will restore yard disturbed by construction of the above cable.

DW
KAL

Grantee will place cable 48" in depth.

8716388

State of Oregon,
County of Lane--is.
I, the County Clerk, in and for the said County, do hereby certify that the within instrument was received for record at

17 APR 07 8:39

Reel 1454R

Lane County OFFICIAL Records.
Lane County Clerk



By: [Redacted]

10-P

CT 188165

RETURN TO CASCADE TITLE CO.

Highway Division
File 6136-001
10B-2-25

9259739

WARRANTY DEED

DONALD W. FISHER and GERALD L. FISHER, Grantors, for the true and actual consideration of \$ 4,700.00 do convey unto the STATE OF OREGON, by and through its DEPARTMENT OF TRANSPORTATION, Highway Division, Grantee, fee title to the following described property:

2520OCT.22'92NO3PFUND 10.00

PARCEL 1 - Fee

A parcel of land lying in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 29, Township 15 South, Range 4 West, W.M., Lane County, Oregon and being a portion of that property designated as Parcel 3 and described in that deed to Donald W. Fisher and Gerald L. Fisher, recorded on Reel 1488R, Instrument No. 8751970 of Lane County Official Records; the said parcel being that portion of said property lying Southeasterly of a line at right angles to the center line of the relocated Pacific Highway West at Engineer's Station "L" 21+30 and included in a strip of land variable in width, lying on the Northeasterly side of said center line which center line is described as follows:

Beginning at Engineer's center line Station "L" 10+00, said station being 1,567.03 feet North and 57.74 feet East of the Southwest corner of Section 29, Township 15 South, Range 4 West, W.M.; thence South 30° 46' 10" East 919.19 feet; thence on a spiral curve left (the long chord of which bears South 33° 26' 08" East 399.65 feet) 400 feet; thence on a 1432.39 foot radius curve left (the long chord of which bears South 40° 46' 40" East 100.40 feet) 100.42 feet; thence on a spiral curve left (the long chord of which bears South 48° 07' 12" East 399.65 feet) 400 feet; thence South 50° 47' 10" East 93.71 feet to Engineer's center line Station "L" 29+13.32.

The widths in feet of the strip of land above referred to are as follows:

Station	to	Station	Width on Northeasterly Side of Center Line
"L" 21+30		"L" 23+19.19	30 in a straight line to 40
"L" 23+19.19		"L" 24+65	40 in a straight line to 50
"L" 24+65		"L" 27+90	50

8-4-92

MAIL TAX STATEMENTS AND
RETURN TO
OREGON STATE HIGHWAY DIVISION
RIGHT OF WAY SECTION
417 TRANSPORTATION BLDG.
SALEM, OREGON 97310

Account No.: 1504290001300

Property Address: _____

#4547

9259739

ALSO that portion of said property lying Northeasterly of the existing Pacific Highway West and Southwesterly of the center line of said relocated Pacific Highway West.

Bearings are based on an Oregon State Highway Division Survey. See Drawing No. 4B-16-9, dated December, 1932.

The parcel of land to which this description applies contains 9,600 square feet, more or less.

TOGETHER WITH ALL abutter's rights of access between the above-described Parcel 1 and Grantors' remaining real property, EXCEPT, however,

Reserving access rights, for the service of Grantors' remaining property, to and from said remaining property to the abutting highway at the following place, in the following width, and for the following purpose:

Hwy. Engr's Sta.	Side of Hwy.	Width	Purpose
------------------	--------------	-------	---------

N/A

The access rights reserved herein are subject to the statutes and regulations controlling access to the highway system. A standard Approach Road Permit must be applied for and obtained from the Highway Division's District Maintenance Office before construction is begun. When the State constructs the approach road, Grantors will be required to sign a standard Approach Road Permit to assure proper operation and maintenance of the approach road.

PARCEL 2 - Fee

A parcel of land lying in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 29, Township 15 South, Range 4 West, W.M., Lane County, Oregon and being a portion of that property designated as Parcel 3 and described in that deed to Donald W. Fisher and Gerald L. Fisher, recorded on Reel 1488R, Instrument No. 8751970 of Lane County Official Records; the said parcel being that portion of said property lying Southwesterly of the existing Pacific Highway West, Northerly of West 18th Avenue (County Road No. 265) and included in a strip of land variable in width, lying on each side of the "L2" center line which center line is described as follows:

Beginning at Engineer's center line Station "L2" 10+00, said station being 326.32 feet North and 853.55 feet East of the Southwest corner of Section 29, Township 15 South, Range 4 West, W.M.; thence South 41° 38' 56" West 70.80 feet; thence on a 200 foot radius curve left (the long chord of

9259739

Highway Division
File 6136-001
10B-2-25

which bears South 20° 30' 26" West 144.27 feet) 147.60 feet; thence South 0° 38' 04" East 175.48 feet to Engineer's center line Station "L2" 13+93.88.

The widths in feet of the strip of land above referred to are as follows:

Station	to	Station	Width on Easterly Side of Center Line	Width on Westerly Side of Center Line
"L2" 10+70.80		"L2" 11+50	70 in a straight line to 35	
"L2" 11+50		"L2" 13+93.88	35	
"L2" 10+00		"L2" 10+70.80		55
"L2" 10+70.80		"L2" 11+50		55 in a straight line to 35
"L2" 11+50		"L2" 13+00		35
"L2" 13+00		"L2" 13+85		35 in a straight line to 140

Bearings are based on an Oregon State Highway Division Survey. See Drawing No. 4B-16-9, dated December, 1932.

The parcel of land to which this description applies contains 19,260 square feet, more or less, outside of the existing right of way.

TOGETHER WITH all abutter's rights of access between the relocated Pacific Highway West along existing Pacific Highway West Southeasterly of Station "L" 21+00 and controlled to Parcel along both sides of the "L2" center line Northeastly of Station "L2" 12+18.40 and Grantors' remaining real property, EXCEPT, however,

Reserving access rights for the service of Grantors' remaining property, to and from said remaining property to the abutting highway at the following place, in the following width_ and for the following purpose_:

Hwy. Engr's Sta.	Side of Hwy.	Width	Purpose
N/A			

The access rights reserved herein are subject to the statutes and regulations controlling access to the highway system. A standard Approach Road Permit must be applied for and obtained from the Highway Division's District Maintenance Office before construction is begun. When the State constructs the approach road, Grantors will be required to sign a standard Approach Road Permit to assure proper operation and maintenance of the approach road.

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PARCEL 3 - Fee

A parcel of land lying in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 29, Township 15 South, Range 4 West, W.M., Lane County, Oregon and being a portion of that property designated as Parcel 3 and described in that deed to Donald W. Fisher and Gerald L. Fisher, recorded on Reel 1488R, Instrument No. 8751970 of Lane County Official Records; the said parcel being that portion of said property lying Southwesterly of a line at right angles to the "Le" center line at Engineer's Station "Le" 10+50 and included in a strip of land variable in width, lying on the Northwesterly side of said center line which center line is described as follows:

Beginning at Engineer's center line Station "Le" 10+00, said station being 896.97 feet North and 1996.44 feet East of the Southwest corner of Section 29, Township 15 South, Range 4 West, W.M.; thence South 43° 58' West 948.56 feet; thence on a spiral curve left (the long chord of which bears South 37° 18' 25" West 397.84 feet) 400 feet; thence on a 572.96 foot radius curve left (the long chord of which bears South 20° 59' West 59.64 feet) 59.67 feet; thence on a spiral curve left (the long chord of which bears South 4° 39' 35" West 397.84 feet) 400 feet; thence South 2° East 504.15 feet to Engineer's center line Station "Le" 33+12.38.

The widths in feet of the strip of land above referred to are as follows:

Station	to	Station	Width on Northwesterly Side of Center Line
"Le" 10+50		"Le" 12+00	40
"Le" 12+00		"Le" 16+00	40 in a straight line to 60
"Le" 16+00		"Le" 17+80	60
"Le" 17+80		"Le" 19+00	45

Bearings are based on an Oregon State Highway Division Survey. See Drawing No. 4B-16-9, dated December, 1932.

The parcel of land to which this description applies contains 14,850 square feet, more or less.

Grantors also grant to Grantee, its successors and assigns, a permanent easement for the construction, operation, and maintenance of drainage facilities over, under, and across the following described property:

9259739

PARCEL 4 - Permanent Easement for Drainage Facilities

A parcel of land lying in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 29, Township 15 South, Range 4 West, W.M., Lane County, Oregon and being a portion of that property designated as Parcel 3 and described in that deed to Donald W. Fisher and Gerald L. Fisher, recorded on Reel 1488R, Instrument No. 3751970 of Lane County Official Records; the said parcel being that portion of said property lying Easterly of Parcel 2, Westerly of the existing Pacific Highway West and included in a strip of land 15 feet in width, 7.50 feet on each side of the following described line:

Beginning at a point opposite and 20 feet Easterly of Engineer's Station "L2" 13+40 on the "L2" center line; thence Northeasterly in a straight line to a point opposite and 37 feet Southwesterly of Engineer's Station "L" 27+50 on the center line of the relocated Pacific Highway West.

The "L2" center line referred to herein is described in Parcel 2.

The center line of the relocated Pacific Highway West referred to herein is described in Parcel 1.

The parcel of land to which this description applies contains 1,500 square feet, more or less.

IT IS UNDERSTOOD that the easement herein granted does not convey any right or interest in the above-described Parcel 4, except for the purposes hereinabove stated, nor prevent Grantors from the use of said property; provided, however, that such use does not interfere with the rights herein granted.

Grantors covenant to and with Grantee, its successors and assigns, that they are the owners of all the above-described property which is free from encumbrances, except for easements, conditions, and restrictions of record, and will warrant the property herein conveyed and the easement rights herein granted from all lawful claims whatsoever, except as stated herein.

9259739

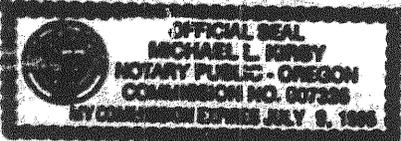
Highway Division
File 6136-001
10B-2-25

THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES.

Dated this 5 day of October, 1992.

[Redacted]
Donald W. Fisher
[Redacted]
Gerald L. Fisher

STATE OF OREGON, County of Lane
October 5, 1992. Personally appeared the above named Donald W. Fisher, who acknowledged the foregoing instrument to be his voluntary act. Before me:



[Redacted]
Notary Public for Oregon
My Commission expires 7/9/95

STATE OF OREGON, County of Lane
October 5, 1992. Personally appeared the above named Gerald L. Fisher, who acknowledged the foregoing instrument to be his voluntary act. Before me:



[Redacted]
Notary Public for Oregon
My Commission expires 7/9/95

8-4-92
Page 6 - WD
ael/

9259739

State of Oregon,
County of Lane—ss.
I, the County Clerk, in and for the said County, do hereby certify that the within instrument was received for record at

22 OCT 92 2:55
1799R

Lane County OFFICIAL Records.
Lane County Clerk

By: [Redacted]
County Clerk

59
10
11

After recording return to:
Don Wilbur, Limited Partnership
P.O. Box 40
Deadwood, OR 97430

Send Tax Statements to:
Don Wilbur, Limited Partnership
P.O. Box 40
Deadwood, OR 97430

Division of Chief Deputy Clerk
Lane County Deeds and Records

2001-029598



\$76.00

00175559200100295980110111

05/16/2001 04:06:34 PM

RPR-DEED Cnt=1 Stn=5 CASHIER 08
\$55.00 \$11.00 \$10.00

WARRANTY DEED

Donald D. Wilbur, aka Don Wilbur, aka Donald Wilbur, Grantor, conveys and warrants to Don Wilbur, Limited Partnership, Grantee, the following-described real property:

See Exhibit "A" attached hereto and by this reference incorporated herein as if set out in full.

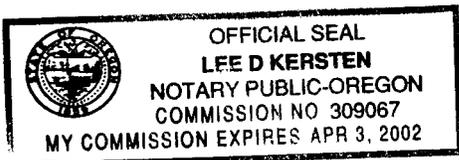
The property is free from all encumbrances except (a) Zoning ordinances, building and use restrictions, easements, covenants, conditions, and restrictions of record; (b) Conditions and restrictions apparent from a visual inspection of the property and restrictions and regulations discoverable in the public records of any governmental agency; (c) All liens and encumbrances of which Grantee has actual notice prior to receiving title; and (d) Liens and encumbrances of record.

The true and actual consideration paid for this transfer, stated in terms of dollars, is: None. However, the actual consideration consists of or includes other property or value given or promised which is the whole consideration.

In construing this deed and where the context so requires, the singular includes the plural and all grammatical changes shall be implied to make the provisions hereof apply equally to corporations and to individuals.

THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930.

In Witness Whereof, the Grantor has executed this instrument on _____, 2001; if a corporate grantor, it has caused its name to be signed and its seal affixed by an officer or other person duly authorized to do so by order of its board of directors.



Grantor:



Donald D. Wilbur, aka Don Wilbur, aka Donald Wilbur

STATE OF OREGON, County of Lane) ss.

Personally appeared before me on May 16, 2001, the above-named Donald D. Wilbur, aka Don Wilbur, aka Donald Wilbur, individually and acknowledged the foregoing instrument to be his voluntary act and deed.



Notary Public for Oregon

EXHIBIT "A"

PARCEL 1 (Junction City)

Beginning at a point on the Easterly right of way line of Corvallis-Junction City Section of the Pacific Highway, said point being opposite and 40.00 feet distant North 59° 15' East from Engineer's centerline Station 399'01.4 P.C. and also being 322.00 feet North and 845.7 feet East of the Southwest corner of Section 29, in Township 15 South, Range 4 West of the Willamette Meridian; thence Southerly 367.21 feet along said Easterly line of the highway on a 1677.00 foot radius curve to the right (the chord of which curve bears South 24° 28' 38" East 366.46 feet) to its intersection with the South line of said Section 29; thence South 89° 20' East 108.49 feet along said Section line to the intersection with the Northwesterly right of way line of the Harrisburg-Junction City Section of the Pacific Highway; thence Northeasterly 184.95 feet along said Northwesterly line of the highway on a 746.20 foot radius curve to the right (the chord of which curve bears North 36° 52' East 184.46 feet); thence North 43° 58' East 180.29 feet; thence North 82° 23' 30" West 499.55 feet to the place of beginning in Lane County, Oregon.

EXCEPTING THEREFROM the North ½ of the county Road on the South side of the above described tract of land in Lane County, Oregon. Containing more or less, 2.00 acres, exclusive of said county road in Lane County, Oregon.

EXCEPT 0.03 acre to State of Oregon by deed recorded in Book 363, page 66, Lane County Oregon Deed Records and being more fully described as follows:

Two parcels of land lying in the Southwest ¼ of the Southwest ¼ of Section 29, Township 15 South, Range 4 West of the Willamette Meridian in Lane County, Oregon and being a portion of the following description:

That tract of land which was conveyed by that certain deed to D. L. Smith and Winona Smith recorded in Book 344, page 86, Lane County, Oregon Deed Records, the said two parcels being described as follows:

PARCEL #1: Beginning at a point on the South line of said Section 29, said point being 1083.5 feet South 89° 20' East from the Southwest corner of said Section; thence North 44° 01' East a distance of 119.6 feet to the Westerly right of way line of the East side of the Pacific Highway; thence Southwesterly following the right of way line along the arc of a 746.20 foot radius curve to the left (the long chord of which bears South 34° 05' West 104.21 feet) a distance of 104.3 feet to the South line of said Section 29; thence North 89° 20' West along said Section line, a distance of 24.7 feet to the place of beginning containing 0.022 acre.

PARCEL #2: Beginning at a point on the South line of said Section 29, said point being 1018.8 feet South and 89° 20' East from the Southwest corner of said Section; thence North 30° 44' 30" West a distance of 104.8 feet to the Easterly right of way line of the West side Pacific

Highway; thence Southeasterly following said right of way line along the arc of a 1677.2 foot radius curve to the right (the long chord of which bears South 19° 49' East 95.57 feet) a distance of 95.6 feet to the South line of said Section 29; thence South 89° 20' East along said Section line a distance of 01.2 feet to the place of beginning, containing 0.022 acre.

The two parcels of land to which this description applies contain 0.044 acre, of which 0.018 acre lies within the existing right of way, title to which hereby is acknowledged to be in the public, and 0.026 acre lies outside of the existing right of way, containing, more or less 1.97 acre.

ALSO EXCEPTING THEREFROM: all that property conveyed to the State of Oregon, by and through its Department of Transportation, Highway Division, by deed dated September 8, 1992, and recorded in Lane County Oregon deed records on September 21, 1992 as instrument No. 92-52754.

ALSO EXCEPTING THEREFROM: all that property conveyed to Safeway, Inc., a Delaware Corporation, by Memorandum of Land Sale Contract dated January 14, 1999, and recorded in Lane County Oregon deed records on January 26, 1999, as Reel #2507R, Instrument No. 99006371.

PARCEL 2 (Triangle Lake)

Beginning at a point being South 9° 03' 20" West 1144.34 feet from the East ¼ corner of Section 18, Township 16 South, Range 7 West, of the Willamette Meridian, said point also being on the North margin of State Hwy #36; thence along said North margin South 86° 25' West 199.47 feet; thence leaving said margin North 269.23 feet; thence East 240.00 feet; thence South 9° 3' 20" West 260.00 feet to the point of beginning in Lane County, Oregon.

PARCEL 3 (East Home Place)

All of Government Lot #2 and all of the Southeast quarter of the Northwest quarter of Section 18, Township 17 South, Range 8 West, of the Willamette Meridian. Except the portion of the Southeast quarter of the Northwest quarter lying North of the center line of Lake Creek, also the following described parcel:

Beginning at the Northwest corner of Section 18, Township 17 South, Range 8 West of the Willamette Meridian, thence South 1° 03' East along the township line to an iron pipe on the South right of way line of the Siuslaw Highway, said point being the true point of beginning, thence in a Northeasterly direction following the right of way line of the Siuslaw Highway around a 28° curve to the left—the long chord of which is North 29° 47½' East 198.1 feet; thence East 50.00 feet to a point in the center of Lake Creek; thence South 29° 00' East 373.80 feet following the center of Lake Creek to a point on the South line of Lot 1 in said Section 18, Township 17 South, Range 8 West of the Willamette Meridian, thence West 326.80 feet along the South line of said Lot 1 to the Southwest corner thereof; thence North 1° 03' West 155.10 feet along the West line of said Section 18 to the true point of beginning in Lane County, Oregon.

Except: 9.25 acres out to TL 601 by Reel 2145/96-12973 "Exhibit C" for 1997.

PARCEL 4 (Rock Pit)

Beginning at the Northeast corner of Section 13, in Township 17 South, Range 9 West, Willamette Meridian; and running thence, South 1° 03' East 1153.7 feet along the Township line to an iron pipe on the South right of way line of the Siuslaw Highway, said point being the true point of beginning, thence, Southwesterly following the Southerly right of way line of the Siuslaw Highway around a 28° curve, the long chord of which bears South 81° 31' West 236.87 feet, thence, South 23° 47½' East 607.74 feet to a point on the East line of Section 13, Township 17 South, Range 9 West, Willamette Meridian; thence, North 1° 03' West 591.21 feet to the true point of beginning, all being situated in Lane County, Oregon.

PARCEL 5 (Field East Home Place)

That part of the Northeast ¼ of Section 13, Township 17 South, Range 9 West, Willamette Meridian, in Lane County, Oregon, between Highway 36 and the center of Lake Creek.

Except 1.50 acre in Tax Lot 100. Except 10.75 acre in Tax Lot 200. Except 1.93 acre in Tax Lot 302. Except 1.95 acre in relocated Siuslaw Highway as per R377/12080, Parcel 1. Also by R431/59614 (1969) and by R403/34541 (1969). Except 0.26 acre in the relocated Siuslaw Highway as per R 377/12080, Parcel 1. Also by R431/59614 in 1969 and by R403/34541 (1969). Less: 0.70 acre in Siuslaw Highway No. 36.

All that property in the Northeast ¼ of Section 13, Township 17 South, Range 9 West, of the Willamette Meridian, Lane County, Oregon lying South and East of the following described property:

Beginning at a point in the center of Highway 36, said point being 1054.46 feet South and 729.78 feet East of the North ¼ corner (marked by a brass cap) Section 13, Township 17 South, Range 9 West of the Willamette Meridian, Lane County, Oregon, thence along the center of said highway, South 88° 21' East 410.48 feet; thence South 11° 08' 20" West 259.29 feet to a one and three-quarter inch iron pipe; thence South 72° 35' 45" West 111.06 feet to a point; thence North 46° 27' West 15.00 feet to a point; thence North 51° 06' West 318.94 feet to a point; thence North 03° 09' 00" West 89.00 feet to the Point of Beginning.

PARCEL 6 (Field South of Jenkins)

All of that part of the Northeast ¼ of Section 13, in Township 17 South, Range 9 West, Willamette Meridian, which lies South of the center line of Lake Creek, containing more or less 60.00 acres and all being located in Lane County, State of Oregon.

PARCEL 7 (Airstrip)

All that portion of the Northwest ¼ of Section 13, Township 17 South, Range 9 West of the Willamette Meridian in Lane County, Oregon, lying South of the center line of Highway 36 of Lane County, Oregon.

Less 1.71 acres in County Road. Less 1.76 acre in Siuslaw Highway No. 36. EXCEPT 0.15 acre in Relocated Siuslaw Highway per R377/12080 Parcel 1. Also by R403/34541 & R431/59614 in 1969.

PARCEL 8 (Home Place)

Beginning at the Southeast corner of the Northeast ¼ of the Northeast ¼ of Section 14, Township 17 South, Range 9 West, Willamette Meridian and running thence North 0° 37' West 7.9 feet along the East line of said Section 14, to the center line of the Siuslaw Highway; thence North 74° 49' 26" West 253.5 feet along the center line of said Highway; thence North 72° 07' 26" West 18.10 feet thence South 1° 12' West 327.10 feet to the center of Lake Creek; thence upstream along the center of Lake Creek (the direct line being South 54° 59' East 334.01 feet) to the East line of said Section 14; thence North 0° 37' West 439.0 feet to the place of beginning, in Lane County, Oregon. Less 0.14 acre in Siuslaw Highway.

NO PARCELS 9 OR 10

PARCEL 11 (Easement @ cement bridge)

Beginning at a point in the center of the Siuslaw Highway 388.29 feet north and 1228.93 feet West of the Southeast corner of the Northeast quarter of the Northeast quarter of Section 14 in Township 17 South, Range 9 West, Willamette Meridian, and running thence North 72° 09' 26" West 194.80 feet along the center line of the said highway; thence South 1° 12' West 106.10 feet to the center of Lake Creek; thence running upstream on the center of Lake Creek Southeasterly (the direct line being South 28° 48' East 371.76 feet); thence North 1° 12' East 372.50 feet to the place of beginning, containing 1.03 acres, more or less, in Lane County, Oregon. Except 0.07 acre out to TL 700 by R2148/96-14949 "Page 2" for 1997.

PARCEL 12 (Reeder's Cement bridge) _____ acres

Beginning at a point on the North boundary of the Southwest ¼ of the Northeast ¼ of Section 14, Township 17 South, Range 9 West, Willamette Meridian, said Point of Beginning bears South 89° 16' 00" East, a distance of 455.93 feet from the position of the Northwest corner of said Southwest ¼ of the Northeast ¼ of Section 14, as determined by a survey performed by Francis E. Waggoner, reference County Survey No. 2372, said Point of Beginning being in the as traveled centerline of a gravel road; thence following said as traveled centerline South 66° 36' 54" West, a distance of 117.32 feet; thence along a 449.83 foot radius curve to the left (chord bears South 54° 38' 38" West, a distance of 186.60 feet) an arc distance of 187.97 feet; thence South 42° 40' 23" West, a distance of 47.74 feet; thence along a 1457.44 foot radius curve to the right (chord bears South 46° 20' 46" West, a distance of 186.74 feet) an arc distance of 186.87 feet; thence South 50° 01' 09" West, a distance of 113.69 feet; thence along a 144.21 foot radius curve to the left (chord bears South 24° 56' 53" West, a distance of 122.21 feet) an arc distance of 126.20 feet; thence South 0° 07' 22" East, a distance of 208.89 feet; thence along a 63.89 foot radius curve to the right (chord bears South 9° 56' 55" West, a distance of 22.35 feet) an arc distance of 22.46 feet; thence South 20° 01' 13" West, a distance of 145.11 feet; thence along a 760.10 foot radius curve to the left (chord bears South 6° 23' 54" West, a distance of 358.03 feet) an arc distance of 361.43 feet; thence South 7° 13' 26" East, a distance of 113.21 feet to a point on the east/west centerline of said Section 14; thence following said east/west centerline South 88° 50' 42" East, a distance of 1353.04 feet; thence leaving said east/west centerline North 10° 40' 22" West, a distance of 1383.18 feet more or less, to a point on the North boundary of said Southwest ¼ of the Northeast ¼ of Section 14; thence following said North boundary, North 89° 16' 00" West, a distance of 451.88 feet to the Point of Beginning, all in Lane County, Oregon.

PARCEL 13 (Rock Pit Lk Cr Mtn Rd)

Beginning at a point in the center of a 40 foot road, said point being 139.15 feet North and 783.53 feet East of the Northwest corner of the Southwest ¼ of Northeast ¼ of Section 14, Township 17 South, Range 9 West, Willamette Meridian as established in County Survey #2372, thence run along the center of said road South 66° 50' West 368.10 feet to a point on the North line of said Southwest ¼ of Northeast ¼ of Section 14, thence running along said North line of the Southwest ¼ of Northeast ¼ of Section 14, South 89° 16' East 438.98 feet to a point in the center of a 40 foot roadway, thence along the center of said 40 foot roadway North 45° 58' West 102.83 feet and North 18° 37' West 83.33 feet to the place of beginning in Lane County, Oregon.

NO PARCEL 14

PARCEL 15 (Burn pit) _____ acres

Beginning at the Northwest corner of the Southwest ¼, of the Northeast ¼, of Section 14, Township 17 South, Range 9 West, of the Willamette Meridian, as shown in Lane County survey file #2372; thence North 0° 00' 00" East a distance of 21.16 feet; thence South 63° 30' 00" West a distance of 136.41 feet; thence South 2° 00' 00" East a distance of 381.11 feet to the True Point of Beginning being a 5/8" rebar with a yellow plastic cap marked LS1091 set in the as traveled centerline of a gravel road; thence following said as traveled centerline of a gravel road along a 367.74 foot radius curve to the right (chord bears South 75° 40' 17" West a distance of 121.29 feet) an arc distance of 121.85 feet; thence South 85° 09' 51" West a distance of 380.08 feet; thence along a 296.19 foot radius curve to the right (chord bears North 85° 05' 07" West a distance of 100.32 feet) an arc of 100.81 feet to a 5/8" rebar with a yellow plastic cap marked LS1091; thence leaving said as traveled centerline of a gravel road South 6° 12' 55" East a distance of 235.42 feet to a 5/8" rebar with a yellow plastic cap marked LS1091; thence South 0° 00' 00" East a distance of 70.00 feet to a 5/8" rebar with a yellow plastic cap marked LS1091; thence South 65° 29' 00" East a distance of 157.88 feet to a 5/8" rebar with a yellow plastic cap marked LS1091; thence South 21° 16' 00" East a distance of 533.21 feet to the east/west centerline of said Section 14, being marked by a 5/8" rebar with a yellow plastic cap marked LS1091; thence along said east/west centerline of Section 14, South 88° 50' 42" East a distance of 153.62 feet to a 5/8" rebar with a yellow plastic cap marked LS1091 set in the as traveled centerline of a gravel road; thence along said as traveled centerline of a gravel road North 7° 13' 26" West a distance of 113.21 feet; thence along a 760.10 foot radius curve to the right (chord bears North 6° 23' 54" East a distance of 358.03 feet) an arc of 361.43 feet; thence North 20° 01' 13" East a distance of 145.11 feet; thence along a 63.89 foot radius curve to the left (chord bears North 9° 56' 55" East a distance of 22.35 feet) an arc of 22.46 feet; thence North 0° 07' 22" West a distance of 208.89 feet; thence along a 144.21 foot radius curve to the right (chord bears North 6° 05' 19" East a distance of 31.21 feet) an arc of 31.27 feet to a 5/8" rebar with a yellow plastic cap marked LS1091; thence leaving said as traveled centerline of a gravel road North 2° 00' 00" West a distance of 56.67 feet more or less to the true point of beginning being a 5/8" rebar with a yellow plastic cap marked LS1091, all in Lane County, Oregon.

NO PARCEL 16 OR 17

PARCEL 18 (Wilma's adjoins Etes)

Beginning at the ¼ corner between Sections 15 and 16, Township 17 South, Range 9 West, Willamette Meridian, Lane County, Oregon thence North 0° 07' West to South bank of Lake Creek; thence Northeasterly along said South bank to a point which is North 0° 05' East of a point which is South 89° 57½' East 1353.3 feet from the point of beginning; thence South 0° 03' West to said point South 89° 57½' East of the point of beginning; thence North 89° 57½' West 1353.3 feet to the point of beginning.

PARCEL 19 (Dolly home place)

Parcel #4: The East ½ of Southwest ¼ of Northeast ¼ and the West ½ of Southeast ¼ of Northeast ¼ of Section 16, Township 17 South, Range 9 West, Willamette Meridian, Lane County, Oregon. Parcel #5: The East ½ of Southeast ¼ of Northeast ¼ of Section 16, Township 17 South, Range 9 West, Willamette Meridian, Lane County, Oregon.

EXCEPT the following described property: Beginning at the brass cap marking the ¼ corner between Sections 15 and 16, Township 17 South, Range 9 West, Willamette Meridian, thence North 0° 07' West 579.71 feet along the Section common to said Sections 15 and 16, to the South right of way line of the Siuslaw Highway, (60 feet wide) and the true place of beginning, thence South 0° 07' East 158.52 feet along said Section line to the center of Lake Creek, thence Southwesterly along the said center of Lake Creek to a point that bears South 78° 39' West 199.38 feet from the last described point, thence North 0° 07' West 155.46 feet to the South right of way line of the Siuslaw Highway (60 feet in width), thence North 77° 47' 22" East 200.00 feet along said South right of way line of the Siuslaw Highway to the true place of beginning, Lane County, Oregon.

ALSO EXCEPT: Beginning at a point on the Southerly right of way line of the Siuslaw Highway (US #36), said point being 579.71 feet North 0° 07' West and 200.0 feet South 77° 47' 22" West from the ¼ corner on the East line of Section 16, Township 17 South, Range 9 West, Willamette Meridian, and run thence South 0° 07' East 155.46 feet to the center line of Lake Creek, thence along the centerline of said Lake Creek South 69° 59' West 721.18 feet to its intersection with the centerline of Green Creek, thence along the centerline of said Green Creek North 52° 50' West 279.52 feet to the center line of Green Creek Bridge, and centerline of the Siuslaw Highway, as traveled, thence along the centerline of said Siuslaw Highway on a curve to the left, the chord of which bears South 32° 47' 45" West 64.89 feet, thence North 51° 53' 45" West 506.12 feet, thence North 1° 20' West 216.34 feet, thence North 71° 10' East 137.47 feet, thence North 59° 34' 45" East 103.12 feet to a point on the Easterly bank of Green Creek, thence South 41° 00' East 577.77 feet to a point on the Northerly right of way of the Siuslaw Highway, thence South 12° 12' 38" East 60.0 feet to a point on the Southerly right of way of the Siuslaw Highway, thence along the Southerly right of way of the Siuslaw Highway North 77° 47' 22" East 744.60 feet to the Place of Beginning, Lane County, Oregon.

ALSO EXCEPT that portion of the Siuslaw Highway and the State Secondary Highway as said Highways run through the foregoing described property.

PARCEL 20 (Swenson)

The Northeast ¼ of the Southeast ¼ of Section 16, Township 17 South, Range 9 West, Willamette Meridian, Lane County, Oregon. Less 1.10 acre in Highway.

PARCEL 21 (McVay)

Beginning at a point 400 feet East of the Northwest corner of the Southwest quarter of the Northwest quarter of Section 15, Township 17 South, Range 9 West, Willamette Meridian,

running thence East 557 feet along the North line of said Southwest quarter of the Northwest quarter, thence South parallel to West line of said Southwest quarter of the Northwest quarter to the North bank of Lake Creek, thence West along said North bank to a point South of the place of beginning, thence North to the place of beginning, in Lane County, Oregon. Less 0.79 acre taken out for State Highway. Less 0.77 acre in Siuslaw Highway.

NO PARCEL 22

PARCEL 23 (92022 West Fork Rd)

Northwest ¼ of the Northeast ¼ of the Southwest ¼; Southwest ¼ of the Northeast ¼ of the Northeast ¼ of the Southwest ¼; West ¾ of the South ½ of the Northeast ¼ of the Southwest ¼; Southeast ¼ of the Southeast ¼ of the Northeast ¼ of the Southwest ¼; South ½ of the Southwest ¼ of the Northwest ¼ of the Southeast ¼, Section 26 South, Range 9 West, Willamette Meridian, Lane County, Oregon. Less 1.40 acres in County Road. Except: 30.65 acres out to parcel 201 for 2000 by Reel 2233/9674787.

PARCEL 24 (Joe Graham)

Southeast ¼ of the Northeast ¼ of the Northwest ¼ of the Northwest ¼ in Section 26, Township 16 South, Range 9 West, Willamette Meridian, in Lane County, Oregon.

PARCEL 25 (Dead Dog Hole)

Lot 3; Southeast ¼ of the Southeast ¼; except Road, Section 20 Tax Lot 4 except in Section 21. Planimetered Government acreages Less 4.86 acres in County Road. Except 1.19 acres to 17-09-21 500 032-00 per R181/47153. (1962) Except 1.95 acre to parcel 600 on 17 09 21 for 1990 by R1635/9025467 and 9025468.

PARCEL 26 (Thompson Creek)

That portion of said Lots 1 and 2 lying Northerly of a line concentric and parallel with and distant 50 feet Northerly, measured radially and at right angles from the original located center line of Southern Pacific Company's main track, said parallel and concentric line more particularly described as follows:

Beginning at a point in the West line of said Section 23, distant 50 feet Northerly, measured radially, from said original located center line of main track of the Southern Pacific Company, at or near Engineer Station 2748-12.9; thence Southeasterly on a curve to the right, having a radius of 4633.69 feet (tangent to said curve at last mentioned point bears South 87° 08' 40" East and chord of said curve bears South 77° 39' 20" East 1527.80 feet) an arc distance of 1534.81 feet to a point; thence Southeasterly on a compound curve to the right (tangent to said compound curve at last mentioned point bears South 68° 10' East) having the following radii, central angles, and arc lengths:

Radii	Central Angles	Arc Lengths
5779.60 feet	0° 18' 00"	30.26 feet
7689.45 feet	0° 13' 30"	30.20 feet
11509.17 feet	0° 09' 00"	30.13 feet

22968.32 feet	0° 04' 30"	30.07 feet
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to a point; thence South 67° 25' East, a distance of 978.5 feet to a point; thence Southeasterly on a compound curve to the left (tangent to said compound curve at last mentioned point is last described course) having the following radii, central angles, and arc lengths:

Radii	Central Angles	Arc Lengths
11409.17 feet	0° 09' 00"	29.87 feet
5679.60 feet	0° 18' 00"	29.74 feet
3769.75 feet	0° 27' 00"	29.61 feet
2814.83 feet	0° 36' 00"	29.48 feet
2241.88 feet	0° 38' 40"	25.22 feet

to a point in the East line of the Southwest quarter of said Section 23, distant 50 feet Northeasterly measured radially, from said original located center line of main tract of the Southern Pacific Company at or near Engineer Station 2720-50.2. All in Township 17 South, Range 10 West, Section 23, Willamette Meridian, Lane County, Oregon.

PARCEL 27 (Brickerville @ RR Track)

That part of Lot 3 West of Railroad right of way Section 22, Township 17 South, Range 10 West, Willamette Meridian, in Lane County, Oregon.

PARCEL 28 (Brickerville)

Beginning at a point in the South line of the Northwest ¼ of Section 27 Township 17 South, Range 10 West Willamette Meridian 6.61 chains West of the intersection with the Westerly line of the county road; being at the Southwest corner of the tract of land conveyed to John N. Sullivan and wife by deed recorded in Book 143 Page 476 Lane County deed records and running thence North 37° 30' East along the line of said Sullivan tract 17.90 chains to the most Northerly corner thereof; thence North 47° 30' West 75.0 links to the most Westerly corner of the tract of 4 acres conveyed to Cyrus Sullivan by deed recorded in Book 160 page 115 Lane County deed records; thence North 22° 3' East 7.41 chains to the most Northerly corner of the 1 acre tract conveyed to Eva C. Goehrs by deed recorded in book 153 page 477 Lane County Deed records; thence South 64° 20' East 6.00 chains to line of said road; thence Northeasterly along the line of said road to the most Southerly corner of the tract of 18 acres conveyed to Frank P. and Minnie L. Spencer by deed recorded in Book 114 page 501 Lane County Deed records; thence along the Southerly line of said Spencer tract, North 30° West about 700 feet; thence North 60° West about 324 feet; thence West about 76.0 feet to the West line of the Northeast ¼ of the Northwest ¼ of said Section 27; thence South on said West line about 14.70 chains to the Southwest corner of said subdivision; thence, West 20.0 chains to the West line of said Section 27; thence South on section line 20 chains and thence East about 11.00 chains to the point of beginning. Less .37 acre in county road #628. All in Lane County, Oregon.

PARCEL 29 (Johnson Tract, Mapleton)

All that part of Lot 3, Section 2, Township 18 South, Range 10 West, Willamette Meridian, lying North and East of County Road #1091, in Lane County, Oregon. EXCEPTING that part lying Westerly of a line described as follows: Beginning at a point 809.72 feet North 89° 33' East from a witness corner to a meander corner on the North line of Section 2, Township 18 South, Range 10 West, Willamette Meridian, said witness corner being 644.78 feet North 89° 33' West from the Northwest corner of said Section 2, run thence South 34° 43' West 135.25 feet to the center of County Road.

PARCEL 30 (Florence Island)

All of the following described property lying Easterly of the Southern Pacific Railroad right of way as set forth by instrument recorded March 14, 1914, in Book 103, Page 505, Lane County Oregon Deed Records: Government Lots 2, 3, 4, and 5, in Section 29, and all the tidelands fronting and abutting on said Lots 4 and 5, all in Section 29, Township 18 South, Range 11 West of the Willamette Meridian in Lane County, Oregon, and

Government Lots 14, 15 and 16 in Section 20, and all the tidelands fronting and abutting on said Lots 15 and 16, of said Section 20 in Township 18 South, Range 11 West, Willamette Meridian, EXCEPT: from said Lot 14, those parcels conveyed to M. E. Saubert by deeds recorded in Book "V", page 94 and in Book 36, page 624 and that parcel conveyed to John Lawson, by deed recorded in Book 26, page 320, Lane County Oregon Deed Records, in Lane County, Oregon.

ALSO including: That portion of the following described premises which lies West of the Southern Pacific Railroad Right of Way:

Lot 8 of Section 30 and all the Tide Land fronting and abutting Lot 8 in Section 30, all in Township 18 South, Range 11 West of the Willamette Meridian.

Also Lot 7 of Section 30, Township 18 South, Range 11 West of the Willamette Meridian, and also all the tide lands fronting and abutting upon that portion of Lot 7 described above.

EXCEPTING however that part of Lot 7 conveyed to Anna B. Marsh, Trustee, by deed recorded at page 210 of Book 41 of the Deed Records of Lane County, Oregon.

ALSO EXCEPTING a small parcel of Land in said Lot 7 conveyed to E. A. Pratt by Deed Recorded at page 357 of Book 97.

ALSO EXCEPTING 2 acres of land in a square, being situated in the Northwest corner of said described property which is bounded by land heretofore conveyed to E. A. Pratt by deed Recorded at page 357 of Book 97 of Lane County Deed Records which is bounded on the West by the land deed to E. A. Pratt and bounded on the North by the Siuslaw River, following the meandor thereof.

ALSO including: Beginning at a point which is 274.8 feet South and 1020.0 feet South 65° 10' West of the corner of Sections 19, 20, 29, & 30, Township 18 South, Range 11 West, Willamette Meridian, Lane County, Oregon; run thence South 45° East 141.0 feet; thence North 45° East 100.0 feet; thence North 45° West 79.5 feet to the bank of Siuslaw River; thence Southwesterly along said river bank to point of beginning and any other land there may be between this land and

the Siuslaw River, including tide land, if any;

ALSO: Two acres of land in a square and being situate in the Northwest corner of the following described premises, to-wit: Lots 14, 15, and 16, Section 20, and Lot 4, Section 29, and Lot 7, Section 30, Township 18 South, Range 11 West, Willamette Meridian, Lane County, Oregon, said two acres herein described is bounded by land heretofore conveyed to E. A. Pratt by deed recorded at Page 357 of Book 97 Deed Records, Lane County, Oregon, and is bounded on the North by the Siuslaw River, following the meander thereof and situate in Lane County Oregon.

ALSO: Lot 6 and that part of Lot 7 lying Westerly of the line of an old picket fence extending to other margin of said Lot 7, said line of fence so extended from the South bank of the Siuslaw River, run thence South 45° East across said lot and a point in said line bears South 63° West 1060.0 feet from the Section line between Sections 29, and 30, in Section 30, Township 18 South, Range 11 West, Willamette Meridian, and all tide land abutting, Lane County, Oregon.

NO PARCEL 31, 32, and 33

Division of Chief Deputy Clerk
Lane County Deeds and Records

2007-012246



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\$70.00 \$10.00 \$11.00

After Recording, Return to:

Unless requested otherwise,
Send all tax statements to:

City of Junction City
David Clyne, City Administrator
P.O. Box 250
Junction City, OR 97448

Norman Family Properties, LLC
93735 Strome Lane
Junction City, OR 97448

NORMAN FAMILY PROPERTIES, LLC ANNEXATION AGREEMENT

This Annexation Agreement ("Agreement") is made between the City of Junction City, an Oregon municipal corporation ("City") and Norman Family Properties, LLC, an Oregon limited liability company ("NFP").

RECITALS

- A. NFP owns the parcel of land legally described in Exhibit A and shown on the map attached as Exhibit B. The property is contiguous to the jurisdictional limits of the City on the Property's southern boundary, and is subject to annexation by the Lane County Local Government Boundary Commission ("Boundary Commission") following minor boundary change procedures.
- B. NFP has before the City an Annexation Application (A-04-11), deemed complete on August 22, 2006, to annex approximately 20 acres on Assessor's Map No. 15-04-29 tax lots 2200 and a portion of 1300 ("Property").
- C. NFP wishes to annex the Property to the City and seeks support from the City for the annexation before the Boundary Commission.
- D. The Property is currently designated in the Junction City Comprehensive Plan as Commercial and is zoned by Lane County as EFU (Exclusive Farm Use). NFP plans to develop the property with a commercial use.
- E. Annexation of the Property requires the City to ensure that the following criteria are met per Chapter III, Section 5, Contiguous Annexation Policies of the Junction City Comprehensive Plan.

"2. The development of the Property is compatible with the rational and logical extension of utilities and roads to the surrounding area. Public facilities and services can be provided in an orderly and economic manner."

- F. Annexation policies on the costs of annexation listed in Section 2 of Appendix D to the Zoning Ordinance No. 950 require the following:

“2. Property owners within the territory requesting annexation must agree to pay all costs of extending city services. The city may agree to commit its resources to extend services to an area or contribute to the costs of extending services.

The City will reach agreement with the property owner(s) requesting annexation on how payment of costs for extending City services will be made during the City’s review of an annexation request.”

- G. The purpose of this Agreement is to memorialize NFP’s and City’s commitment and agreement as to the allocation of financial responsibilities for public facilities and services for the Property and other users of the facilities, sufficient to meet the City’s requirements for the provision of key urban services necessary for an affirmative City recommendation for the annexation request
- H. **STORMWATER:** The City’s stormwater drainage system is at capacity. Most properties in the area drain generally to the north and away from the heart of the City. As such, the development(s) would have to conform to the City’s Public Works Design Standards as well as ODOT’s requirements if drainage is discharged into either the Hwy. 99 W or Hwy. 99 E right-of-way.
- I. **STREETS:** The property is bounded on two sides by state highways: Hwy. 99 E and Hwy. 99 W. Access onto these highways is regulated by the Oregon Department of Transportation. Portions of those highways have access control – areas of the highway onto which no access will be permitted. ODOT and the City require a Traffic Impact Analysis for development proposed over a certain level, which includes mitigation measures to address capacity and safety issues for all transportation modes to the site.
- J. **SANITARY:** Currently the wastewater system has areas that are running at or over capacity during wet weather conditions. The areas of immediate concern identified in the draft Wastewater Facilities Master Plan are: 9th & Ivy lift station and 14th & Elm lift station, and the wastewater lagoons located on High Pass Road. The 14th & Elm lift station acts as a regional collector. Both of these stations collect the sewage from a large portion of town and during the winter months run non-stop. The long run times are due to the large amount of ground water pouring into the system from old and damaged pipes. Due to the capacity issues, the stations limit the growth potential for all other stations that feed into them. Both stations are scheduled for upgrades which should be completed before additional the improvements are undertaken or additional connections made. The upgrades should cost approximately \$1.5 million for the 14th & Elm lift station, and \$1 million for the 9th & Ivy Street lift station.

An increased number of service users will require replacement of sanitary sewer system pumps at the 17th & Ivy lift station, at a cost of approximately \$10,000.

- K. WATER: The City's water system currently runs at 95% of the available pumping capacity during the warmest months of the year. With anticipated growth, use is anticipated to increase to 99% with water loss in the system averaging 18% per year. A well upgrade of the 8th & Deal Street Well is expected to add an additional 650,000 gallons per month to existing capacity, which should address any proposed Property development.
- L. City staff has determined that the minimum level of key urban services will be available, as outlined in this agreement, to Property with regard to water, sanitary sewer, electricity, police, schools, and fire and emergency services (with the exception that additional signage, street width and hydrants may be required as part of development approvals).
- M. In order to facilitate the orderly development of Property, ensure the full provision of key urban services that are satisfactory to the City, and meet the City's conditions for an affirmative recommendation for annexation to the Boundary Commission, and in exchange for the obligations of City set forth below, NFP shall comply with all requirements imposed on them in this Agreement.
- N. City does not wish to approve NFP's annexation request or any subsequent land use or development applications if the result could arguably give rise to a later claim by NFP or NFP's successors and assigns for compensation or a right to require the City to waive City land use regulations in effect upon the effective date of the annexation or subsequent rezone, which will be newly imposed upon Property by reason and result of this Annexation request.

Now, therefore, based on the foregoing Recitals, which are specifically made a part of this Agreement, the parties agree as follows:

- 1. Obligations of NFP. Consistent with the above recitals and subject to the issuance of subdivision and public improvement plan approvals, NFP agrees to perform the obligations set forth in this section.
 - 1.1. Develop on-site and off-site stormwater management facilities and obtain or dedicate drainage easements as required as conditions of development approval or as may be necessary to adequately manage and treat stormwater runoff from the development site as follows:
 - 1.1.1. Obtain easements or right-of-way permits necessary to ensure a downstream conveyance system meeting City specifications.
 - 1.1.2. Design and develop Property in accordance with stormwater quality measures, which, to the maximum extent practicable, use open water courses and water bodies throughout the development site to detain,

retain, and infiltrate runoff in accordance with Junction City Public Works Design Standards. This management of the stormwater shall limit both the discharge rates and volumes at or below pre-development rates and volumes from the Property. Detention capacity shall meet or exceed flowings of at least a 10-year storm event.

- 1.2. In addition to public streets needed to provide circulation and access within Property, NFP shall address transportation issues as follows:
 - 1.2.1. As part of submission of a development application, NFP shall complete a Traffic Impact Analysis (TIA), subject to City, County and ODOT approval. Parameters for the TIA shall be established in a meeting NFP shall convene with appropriate City, County and ODOT officials, upon submittal of any development proposal and selection of a traffic engineer.
 - 1.2.2. At a minimum the TIA will include analysis of traffic operations at Hwy. 99 E and Hwy. 99 W. at the proposed development access and signalized intersection at 18th and Hwy 99. The analysis will include anticipated development trips at full property build out for the longer of the following: 15 years, or to the City's TSP planning horizon.
 - 1.2.3. The TIA shall propose road dedications and improvements, traffic control measures, and other mitigation measures to improve safety and operational issues identified for pedestrians, motor vehicles, transit, and bicyclists.
 - 1.2.4. The TIA will be completed and submitted to City, County, and ODOT at the time of Site Plan Review, if a subdivision is not required. The City, County or ODOT may identify additional study elements for inclusion in the TIA upon review of the specific site plan. Dedication of additional right-of-way may be required by City during the development approval, or as indicated in the TIA.
 - 1.2.5. Dedicate, construct, and/or improve all impacted street improvements and transportation rights-of-way at a level indicated by the TIA to support any approved future development.
- 1.3. NFP shall address sewer system issues as follows:
 - 1.3.1. Develop onsite and offsite public sanitary sewer systems at the size, depth and location as may be necessary to adequately serve proposed Property development, including replacement of the 17th & Ivy Pump. Design and construction shall comply with Junction City Public Works Design Standards and requires City Engineer approval and oversight.

- 1.3.2 Within 60 days of annexation or 60 days from the date when the sewer line under construction is operational (whichever occurs later) NFP is responsible for either connecting the existing home on the Property to City's sanitary sewer system or to begin paying the base rate for sanitary sewer service. All costs associated with connecting to City's sewer system shall be paid by NFP, at NFP's sole expense. NFP agrees that all work on the sanitary sewer system shall be consistent with Junction City Public Works Design Standards.
 - 1.3.3 NFP agrees that no building permit for new developments or any expansion or remodel of existing developments involving plumbing can be issued for Property, unless the building permit is conditioned upon connection of Property to the City's sanitary sewer system. NFP further agree that no land use approval that will affect or impact the City's sanitary sewer system will be granted by City, unless sufficient capacity for the proposed development exists within the City's sanitary sewer system, as determined in the City's reasonable discretion.
 - 1.4. NFP shall address water system issues as follows:
 - 1.4.1 Develop onsite and offsite water systems as may be necessary to adequately serve proposed Property development, including the upgrade of the 8th & Deal Street Well through the addition of two new filters. Design and construction shall comply with Junction City Public Works Design Standards and requires City Engineer approval and oversight.
 - 1.4.2 Within 60 days of annexation, NFP is responsible for either connecting the existing home on Property to City's water system or to begin paying the base rate for water service. All costs associated with connecting to the City water system shall be paid by NFP, at NFP's sole expense. NFP agrees that all work on the water system shall be consistent with the Junction City Public Works Design Standards.
 - 1.4.3 NFP agrees that no building permit for new developments or any expansion or remodel of the existing structure(s) involving plumbing can be issued for Property, unless the building permit is conditioned upon connection of Property to the City's water system. NFP further agrees that no land use approval affecting City's water system will be granted by City, unless sufficient capacity for the proposed development exists within the City's water system, as determined in the City's reasonable discretion.
 - 1.5. Provide any reasonable additional improvements to roadways, including signage, street width and additional hydrants related to fire protection and

emergency services that may be requested by the City during the development review process.

- 1.6. Provide and be financially responsible for the provision of the following key urban services:
 - 1.6.1. Sanitary sewer, including pump station upgrades (City cost participation, Zone of Benefit, or Local Improvement District, as determined by the City, in the City's reasonable discretion, shall be available for sanitary sewer oversizing or providing service to land not owned by NFP if required by the City to provide capacity beyond that needed to serve proposed development).
 - 1.6.2. Water, including water main extensions (City cost participation Zone of Benefit, or Local Improvement District formation, as determined by the City, in the City's reasonable discretion, shall be available for water system oversizing or providing services to land not owned by NFP if required by the City to provide capacity beyond that needed to serve proposed development).
 - 1.6.3. Drainage, including storm drainage detention facilities (City cost participation, Zone of Benefit, or Local Improvement District formation, as determined by the City, in the City's reasonable discretion, shall be available for drainage system oversizing or providing service to land not owned by NFP if required by the City to provide capacity beyond that needed to serve proposed development).
 - 1.6.4. Roads and transportation facilities (City cost participation, Zone of Benefit, or Local Improvement District formation, as determined by the City, in the City's reasonable discretion, shall be available for providing excess capacity in the City's transportation system if required by the City to provide capacity beyond that needed to serve proposed development).
- 1.7. NFP shall pay all applicable City system development charges, including the SDC fees for streets and parks for the existing residence at the time of annexation. NFP is required to pay system development charges for water and sewer for the existing residence at the time of connection to those respective City systems.
- 1.8. As consultants or extra City staff may be needed to properly process any development proposal for Property, as determined in City's sole discretion, NFP agrees to pay all consultant costs incurred by the City in reviewing and processing any future development proposal(s) for Property. Such costs will be paid by NFP in accordance with the planning application and development fee schedule established by Resolution 862.

- 1.9. NFP shall submit a Type II, Site Plan Review application with any development proposal in accordance with Ordinance No. 950, Section 111(A)(2).
2. Obligations of City. Consistent with the above Recitals, City agrees to:
 - 2.1. Recommend and support annexation of the Property to the City of Junction City before the Boundary Commission and support NFP's defense of any appeal of a Boundary Commission order annexing the Property to the City. City does not hereby assume any financial responsibility for NFP's legal counsel or costs on any such appeal.
 - 2.2. Use good faith in the timely review and decision making of the Development and Public Improvement Plan applications for the Property. City will support NFP in opposing any appeal of a City decision on these applications, but will not assume financial responsibility to provide legal counsel on appeal.
 - 2.3. Review in a timely manner any application for the formation of a Zone of Benefit or Local Improvement District, per City Code, in the event a valid petition for such a District or Zone is presented to the City by NFP.
3. Covenants Running With the Land. It is the intention of the parties that the covenants herein are necessary for the development of Property and as such shall run with the Property and shall be binding upon the heirs, executors, assigns, administrators, and successors of the parties hereto, and shall be construed to be a benefit and burden upon the Property. This Agreement shall be recorded upon its execution in the Land County Deeds and Records. This Agreement may be assigned by NFP and shall bind any assigns or successors in interest to NFP. Execution of this Agreement is a precondition to the support of the City of Junction City for annexation of the property described in Exhibit A to the City of Junction City. Accordingly, the City retains all rights for enforcement of this Agreement.
4. Limitations on the Development. No part of Property shall be further developed prior to obtaining appropriate City development approval of a Subdivision Preliminary Plan or Development Review. In the event NFP fails to seek Subdivision approval, Development Review or Public Improvement Plan approval, or such approvals are delayed or withheld for a period of longer than three (3) years from the date of this Agreement, the obligations of NFP under Section 1 of this Agreement shall be void and a new analysis of off-site improvements related to any development of the Property shall be a requirement of any subsequent land use approval. No building permit shall be issued for development on the Property until all improvements have been completed, as set forth in Section 1 of this Agreement.

5. Mutual Cooperation. City and NFP shall endeavor to mutually cooperate with each other in implementing the various matters contained herein.
6. Waiver of Right of Remonstrance. NFP agrees to sign any and all waivers, petitions, consents and all other documents necessary to obtain the public facilities and services described herein as benefiting the Property, under any Local Improvement Act or proceeding of the State of Oregon, Lane County or the City of Junction City (see Ordinance 950, Appendix D., Section 2) and hereby waives all rights to remonstrate against these improvements. NFP does not waive the right to protest the amount or manner of spreading the assessment thereof, if the assessment appears to NFP to be inequitable or operate unfairly upon the Property. NFP waives any right to file a written remonstrance against these improvements. NFP does not waive its right to comment upon any proposed local improvement district or any related matters orally or in writing.
7. Waiver of Dolan Rights. NFP knows and understands his rights under Dolan v. City of Tigard, 512 U.S. 374 (1994), and by entering into this Annexation Agreement hereby waives any requirement that the City demonstrate that the dedications of right-of-way, public utility easements, and other public improvements required herein are roughly proportional to the impacts of the subdivision. NFP further waives any cause of action it may have pursuant to Dolan v. City of Tigard, supra, and its progeny arising out of the actions described herein.
8. Waiver of Measure 37 Rights and Remedies. As inducement to the City to proceed with annexation and a subsequent rezone, which may include designation of the property as subject to additional applicable overlay zones and districts, NFP, on behalf of NFP, NFP's heirs, devisees, executors, administrators, successors and assigns, agrees and covenants to the City of Junction City, its officers, agents, employees and assigns that the undersigned hereby remises, waives, releases, and forever discharges, and agrees that NFP shall be estopped from asserting any rights and remedies, actions, causes of action, suits, claims, liabilities, demands, and rights to waivers arising under or granted by any statutory or constitutional regulatory compensation or waiver provisions, including but not limited to Ballot Measure 37 (2004), or otherwise enacted after the date of this proceeding which would create a right of claim for compensation or waiver of City land use regulations that exist upon the effective date of the annexation or rezone and which, upon City approval, are applicable to the Property.
9. Modification of Agreement. This Agreement may only be modified in writing, signed by both parties.
10. Land Use. Nothing in this Agreement shall be construed as waiving any requirements of the Junction City Subdivision and Zoning Ordinances, Development Standards, or the Junction City Municipal Code, which may be applicable to the use, and development of this Property. Nothing herein shall be

construed as City providing or agreeing to provide approval of any building, land use, or other development application submitted by NFP.

- 11. Invalidity. If any provision of this Agreement shall be deemed unenforceable or invalid, such enforceability or invalidity shall not affect the enforceability or validity of any other provision of this Agreement. The validity, meaning, enforceability, and effect of the Agreement and the rights and liabilities of the parties hereto shall be determined in accordance with the laws of the State of Oregon.

DATED this 20 day of February, 2007.

IN WITNESS WHEREOF, NFP and City have executed this Agreement as of the date first herein above written.

CITY OF JUNCTION CITY

By: 
Mayor, Larry Crowley

STATE OF OREGON)
 : ss.
County of Lane)

Personally appeared the above named LARRY CROWLEY, Mayor for the City of Junction City, who acknowledged the foregoing instrument to be by his voluntary act. Before me on this 20 day of February, 2007.


Notary Public for Oregon
My Commission Expires 02-24-08



NORMAN FAMILY PROPERTIES, LLC,
an Oregon limited liability company

By:

[Redacted Signature]

Donald W. Fisher, Member

STATE OF OREGON)
 : ss.
County of Lane)

Personally appeared the above named DONALD W. FISHER, Member of Norman Family Properties, LLC, who acknowledged the foregoing instrument to be his voluntary act. Before me on this 14 day of February, 2007.



[Redacted Signature]

Notary Public for Oregon
My Commission Expires 02-24-08

Exhibit "A"

**CHARLES W. GUILÉ & ASSOCIATES, CO.
LAND SURVEYING**

88990 TERRITORIAL ROAD
ELMIRA, OR 97437

TELEPHONE
(541) 935-8606

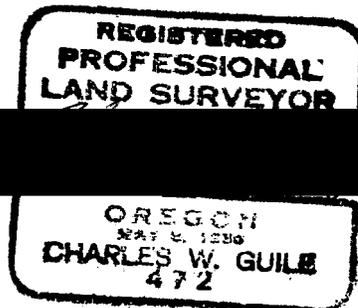
Description for
Norman Family Properties, LLC

A parcel of land being based on that survey and map for Norman Family Properties, LLC dated May 30, 2006 by Charles W. Guile & Associates, Co., being described as follows: Beginning at the Brass Cap monument marking the Southwest corner of Section 29, Township 15 South, Range 4 West of the Willamette Meridian; thence North 18° 58' 33" East 1163.73 feet to a 5/8 inch iron rod on the Northeasterly right of way line of the State 99 West Highway, said point being the TRUE POINT OF BEGINNING; thence along the said Northeasterly right of way line, South 31° 00' 25" East 612.70 feet to a 5/8 inch iron rod; thence South 38° 56' 57" East 132.67 feet to a 5/8 inch iron rod; thence South 46° 00' 27" East 141.57 feet to a 5/8 inch iron rod; thence South 48° 44' 17" East 97.35 feet to a 5/8 inch iron rod; thence leaving the said Northeasterly right of way line, South 83° 23' 30" East 338.34 feet to a 5/8 inch iron rod on the Northwesterly right of way line of the State 99 East Highway; thence along the said Northwesterly right of way line, North 43° 01' 33" East 6.03 feet to a 5/8 inch iron rod; thence South 83° 39' 14" East 31.50 feet to a 5/8 inch iron rod; thence North 43° 42' 09" East 140.36 feet to a 5/8 inch iron rod; thence North 46° 21' 59" West 15.00 feet to a 5/8 inch iron rod; thence North 43° 43' 33" East 179.94 feet to a 5/8 inch iron rod; thence North 46° 34' 34" East 400.54 feet to a 5/8 inch iron rod; thence North 43° 43' 14" East 150.01 feet to a 5/8 inch iron rod; thence South 46° 16' 45" East 10.05 feet to a point being referenced by a 5/8 inch iron rod bearing North 46° 16' 45" West 0.15 feet; thence North 43° 43' 15" East 262.85 feet to a point being referenced by a 1/2 inch iron rod bearing South 27° 41' 55" East; thence leaving the said Northwesterly right of way line, North 89° 20' 00" West 1739.70 feet to the TRUE POINT OF BEGINNING, in Lane County, Oregon.

The bearings used herein are based on the south line of the Southwest one-quarter of said Section 29 as being North 89° 20' 00" West.

[Containing 19.93 Acres.]

May 30, 2006
2006-16
26-16D01.wpd



6/30/2006

SEPARATE NARRATIVE:

SURVEY FOR
NORMAN FAMILY PROPERTIES, LLC

SW 1/4 SECTION 29, T. 15 S., R. 4 W., W.M.
LANE COUNTY, OREGON

MAY 30, 2006

NARRATIVE:

THE PURPOSE OF THIS SURVEY FOR OUR NAMED CLIENT WAS TO SURVEY THE PARCEL OF LAND WITHIN THEIR OWNERSHIP THAT LIES WITHIN THE JUNCTION CITY URBAN GROWTH BOUNDARY.

THE SOUTH LINE OF THIS SURVEY (BEING THE NORTH LINE OF THE TAX LOT 2300 PROPERTY) IS BASED ON THE LEGAL DESCRIPTION FOR THE SAID TAX LOT 2300. THE DESCRIPTION FOR THIS TAX LOT APPEARS TO BE BASED ON THAT 1950 SURVEY BEING LANE COUNTY SURVEYORS FILE (CSF) INDEX NUMBER 7869.

BY USING THE BEARING FOR THE SOUTH LINE OF SECTION 29, T. 15 S., R. 4 W., W.M. (AS SHOWN HEREON) AS BEING N 89° 20' W, WE WERE THEN ABLE TO PROJECT THE ORIGINAL POINT OF BEGINNING FOR THE TAX LOT 2300 PROPERTY AND THEN BY USING THE BEARING OF S 83° 23' 30' EAST, WE ESTABLISHED THE NORTH LINE OF THE SAID TAX LOT. THEN WE INTERSECTED THE NEW RIGHT OF WAY LINES FOR 99 WEST & 99 EAST AS THEY ARE MONUMENTED TO ESTABLISH THE NEW NORTH CORNERS.

FOR THE RIGHT OF WAY LINES OF 99 WEST & 99 EAST, WE HELD THE FOUND RIGHT OF WAY MONUMENTS. WE NEEDED TO EXTEND THE NORTHERLY RIGHT OF WAY LINES WESTERLY & EASTERLY FROM THE FOUND MONUMENTS WHICH MONUMENTED THE PROPERTY BOUGHT BY THE STATE OF OREGON BY AND THROUGH ITS DEPARTMENT OF TRANSPORTATION BY THAT DEED RECORDED OCTOBER 22, 1992 AT REEL 1799R, RECEPTION NO. 9259739, LCODR'S. ALSO SEE CSF 31558 DATED 1993 WHICH SHOWS THE NEW RIGHT OF WAY MONUMENTATION.

TO ESTABLISH THE PAPER CENTER LINES, WE PROJECTED THE RIGHT OF WAY DISTANCES FROM SELECTED FOUND MONUMENTS TO DETERMINE THE SAID CENTER LINES. THEN WE WERE ABLE TO EXPAND THE RIGHT OF WAYS BEYOND THE FOUND RIGHT OF WAY MONUMENTS.

CHARLES W. GUILÉ
& ASSOCIATES, CO.
Land Surveying
88990 Territorial Road
Elmira, OR 97437

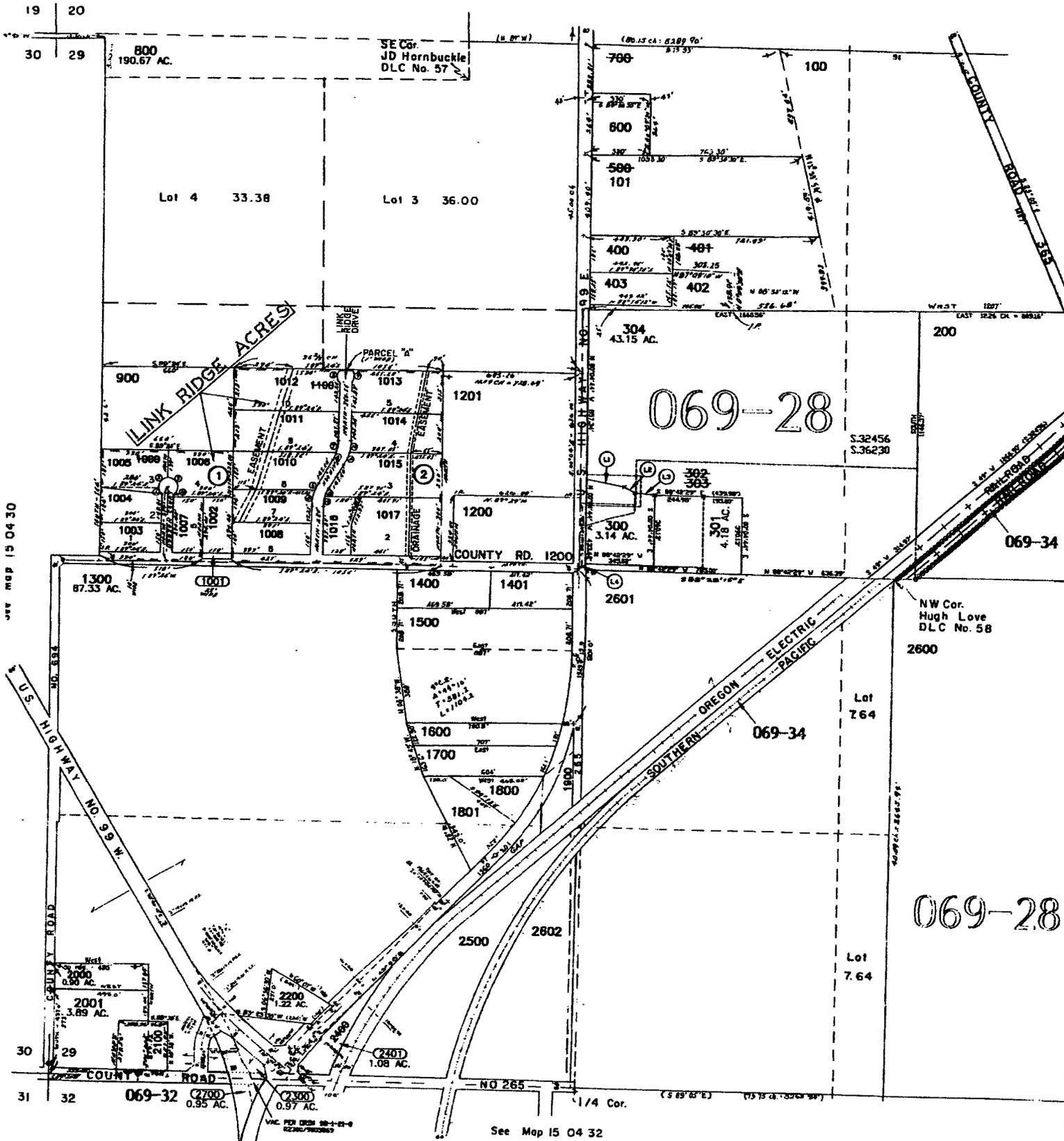
REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
MAY 11, 1929
CHARLES W. GUILÉ
472

6/30/2007

DATE	REVISION
5/17/28	VAC. PINK 1818 AC. U
7/28/28	TRD. 2588 V. PINK
7/28/28	D.L.A. 1155, 306, 301, 30

See Map 15 04 20



See Map 15 04 32

Division of Chief Deputy Clerk
Lane County Deeds and Records

2008-060033



\$96.00

RPR-LIEN Cnt=1 Stn=6 CASHIER 07
\$65.00 \$11.00 \$20.00
11/03/2008 01:33:07 PM

Prepared by:

~~After Recording Return to:~~
Dickstein Shapiro LLP
1825 Eye Street, NW
Washington, DC 20006
Attn: Michael Kimberling

AFTER RECORDING, PLEASE RETURN TO:
LandAmerica Com'l Lender & Search
5600 Cox Road
Richmond, VA 23060
Attr:

Note to Clerk: This Notice of Foreign Judgment of the U.S. District Court is to be indexed in the Land Records of Lane County.

NOTICE OF SUPPLEMENTAL FINAL ORDER AND JUDGMENT

(County of Lane, Oregon)

THIS NOTICE OF SUPPLEMENTAL FINAL ORDER AND JUDGMENT (this "Notice") dated as of April 24, 2008, is recorded pursuant to the SUPPLEMENTAL FINAL ORDER AND JUDGMENT (hereinafter referred to as the "Supplemental Final Order and Judgment") (attached hereto as Exhibit A), entered by the United States District Court for the Southern District of Indiana on April 4, 2008, in Civil Action No. 1:02-cv-7004-DFH-TAB, one of the cases comprising the Multi-District Litigation entitled In Re: AT&T Fiber Optic Cable Installation Litigation, IP99-C-9313-H/K, MDL Docket No. 1313. The Supplemental Final Order and Judgment permits AT&T or Class Counsel to file the Supplemental Final Order and Judgment in the land records of each county in Oregon that has property affected by the Supplemental Final Order and Judgment. The Supplemental Final Order and Judgment requires that the each of the persons or entities listed under the column "Property Owner Name" on Attachment C be indexed as grantors, and that AT&T Corp. and AT&T Communications - East, Inc. (formerly AT&T Communications, Inc.) be indexed as grantees.

Purpose

This Notice, along with the Exhibits attached hereto, as directed by the Supplemental Final Order and Judgment, shall be filed/recorded/indexed in the judgment records in each jurisdiction in which the Settlement Corridors are located in order to give constructive and record notice of the existence of the encumbrance on the real estate created by the Final Order and Judgment entered by the United States District Court for the Southern District of Indiana on February 2, 2007 (hereinafter referred to as the "Final Order and Judgment"). The Supplemental Final Order and Judgment directs the clerk of the land records of each jurisdiction to file/record/index the Supplemental Final Order and Judgment by the names of each party listed

11441275

in the column "Property Owner Name" of Attachment C to the Supplemental Final Order and Judgment.

Nature of Interest in Real Estate

Pursuant to the Final Order and Judgment, the Court granted AT&T sixteen and one half (16 1/2) foot wide permanent easements through the Settlement Corridor defined in the Settlement Agreement. The easements are more particularly described in the Order and Judgment.

Use

Such easements are for the purpose of maintaining, upgrading and expanding cable, as well as to install new conduits and fiber or replacement technology within the easement and shall permit unrestricted use, licensing and assignment of such facilities which have been or may be constructed, installed, or acquired by AT&T for its primary use, all as more particularly set forth in, and subject to the terms and conditions of, the Final Order and Judgment.

Definitions and Conflicts

The terms and provisions of the Final Order and Judgment and the Supplemental Final Order and Judgment are hereby incorporated herein and make a part hereof, and any term or provision not defined herein shall have the meaning set forth in the Final Order and Judgment or the Supplemental Final Order and Judgment. In the event of a conflict between the terms of this Notice and the terms of the Final Order and Judgment or the Supplemental Final Order and Judgment, the terms of the Final Order and Judgment or the Supplemental Final Order and Judgment shall control.

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION

<hr/>)	
IN RE:)	
)	
AT&T FIBER OPTIC CABLE INSTALLATION LITIGATION)	Case No. 1:99-ml-9313-DFH-TAB MDL Docket No. 1313
<hr/>)	
)	
THIS DOCUMENT RELATES TO:)	
)	
No. 1:02-cv-7004-DFH-TAB (Gadotti))	(Oregon Active Lines)
<hr/>)	

SUPPLEMENTAL FINAL ORDER AND JUDGMENT

On March 30, 2006, counsel for AT&T Corp. and AT&T Communications - East, Inc. (formerly AT&T Communications, Inc.) (collectively AT&T) and Class Counsel executed the Oregon "Telecommunication Cable"/Railroad Corridor Class Settlement Agreement, providing AT&T, among other things, an easement running along certain railroad corridors in Oregon (the "Settlement Agreement"). On April 6, 2006, the Court entered an Order conditionally approving the Settlement Agreement. On February 2, 2007, this Court executed a Final Order and Judgment in these proceedings approving that settlement (the "Final Order and Judgment"), which was entered on February 2, 2007.

In the Final Order and Judgment, the Court granted AT&T a sixteen and one half (16 1/2) foot wide easement, consistent with Paragraph VI.A.1. of the Settlement Agreement, for telecommunications purposes through the Settlement Corridor (as defined in the Settlement Agreement) vis-à-vis all Current Landowners (as defined in the Settlement Agreement) and their respective successors in interest. Under Paragraph VI.A.1. of the Settlement Agreement, this permanent telecommunications easement gives AT&T the right to operate, maintain, upgrade and expand its existing cable, as well as to install new conduits and fiber or replacement

technology within the easement and shall permit unrestricted use, licensing and assignment of such facilities, which have been or may be constructed, installed, or acquired by AT&T for its primary use.

The Final Order and Judgment provides that AT&T or Class Counsel may, at their respective options and cost, file/record/index the Final Order and Judgment or a notice thereof, in the name of each Class Member who owns any property affected by the easement in the judgment or land records of the jurisdiction in which the real estate is located.

The Final Order and Judgment also provides that this Court retains jurisdiction to enter supplemental orders and judgments to effectuate the recordation of AT&T's property rights.

This Supplemental Final Order and Judgment specifically identifies the owners of property affected by the easement described in the Final Order and Judgment and describes the affected property to effectuate the recordation of AT&T's property rights.

Accordingly, in order to effectuate the recordation of AT&T's property rights, it is hereby **ORDERED AND ADJUDGED** as follows:

The maps included at Attachment A illustrate, by county in Oregon, the portions of railroad corridors and adjoining property affected by the easement provided in the Final Order and Judgment. Attachment A is broken down by Oregon county into a number of sub-parts labeled A1, A2, A3, etc. If AT&T chooses to file/record/index this Supplemental Final Order and Judgment in the land records of a particular county pursuant to the Final Order and Judgment, it is permitted to attach to this Supplemental Final Order and Judgment only the sub-part of Attachment A that corresponds to that county.

Attachment B is a series of descriptions, by county in Oregon, that describe the portions of railroad corridors and adjoining property affected by the easement provided in the

Final Order and Judgment. Attachment B is broken down for each Oregon county into a number of sub-parts labeled B1, B2, B3, etc. If AT&T chooses to file/record/index this Supplemental Final Order and Judgment in the land records of a particular county pursuant to the Final Order and Judgment, it is permitted to attach to this Supplemental Final Order and Judgment only the sub-part of Attachment B that corresponds to that county.

Attachment C consists of two spreadsheets that lists all owners of property from whom an easement was obtained and describes the parcels of property subject to the easement provided in the Final Order and Judgment. One of the spreadsheets lists the parcels within each county by the names of the landowners, and the other spreadsheet lists the parcels within each county in order as they appear along the Settlement Corridor. Each spreadsheet in Attachment C is broken down by Oregon county into a number of sub-parts labeled C1, C2, C3, etc. If AT&T chooses to file/record/index this Supplemental Final Order and Judgment in the land records of a particular county pursuant to the Final Order and Judgment, it is permitted to attach to this Supplemental Final Order and Judgment only the sub-part of Attachment C that corresponds to that county.

If AT&T chooses to file/record/index this Supplemental Final Order and Judgment in the land records of a particular county, the recorder's offices of such jurisdictions are directed to file/record/index this Order against each settlement class member's name or against such settlement class member's interest in the real estate (the names and other necessary information of such settlement class members within each applicable jurisdiction are included at Attachment C to this Supplemental Final Order and Judgment in order to allow the recorder's office to file/record/index this Supplemental Final Order and Judgment against each settlement class member), so as to give constructive and record notice to all subsequent parties acquiring an interest in the real estate of the existence of the easements.

This 24th day of April, 2008.

Copies to:

James M. Boyers
WOODEN & MCLAUGHLIN LLP
One Indiana Square, Suite 1800
Indianapolis, IN 46204-4208

Peter W. Morgan, Esq.
Howard N. Feldman, Esq.
B.H. Walling, Esq.
DICKSTEIN SHAPIRO LLP
2101 L. Street, N.W.
Washington, DC 20037-1526

Henry J. Price, Esq.
Attorney No. 5822-49
**PRICE, WAICUKAUSKI &
RILEY, LLC**
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**KOONZ McKENNEY JOHNSON
DEPAOLIS & LIGHTFOOT**
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John B. Massopust, Esq.
Daniel J. Millea, Esq.
**ZELLE, HOFMANN, VOELBEL,
MASON & GETTE, LLP**
500 Washington Avenue South
Suite 4000
Minneapolis, MN 55415



DAVID F. HAMILTON, CHIEF JUDGE
United States District Court
Southern District of Indiana

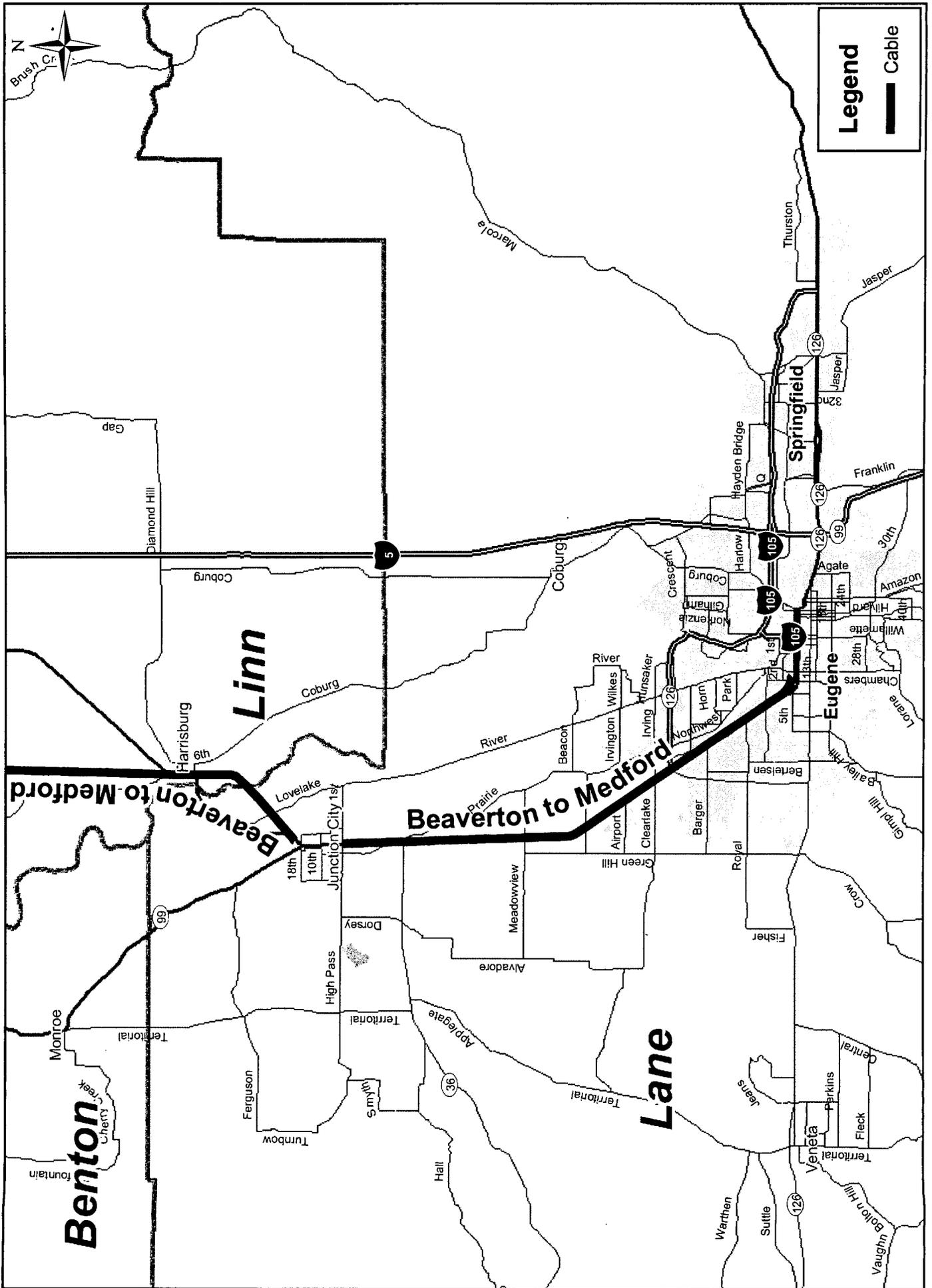
UNITED STATES DISTRICT COURT
~~Southern~~ District of ~~Indiana~~
I, the undersigned Clerk of the
Court, do hereby certify that
this is a true, correct and full copy
of the original Supplemental Final Order and
on file in my custody. Judgement
Cause No. 1:99 ml-9313-DFH-JAB
Dated April 30, 2008
Laura A. Briggs, ~~Clerk~~
by [Redacted], Deputy Clerk
five (5) # of pages (text)
six (6) # of pages (exhibits)

Nicholas C. Nizamoff, Esq
STUART & BRANIGIN
8888 Keystone Crossing
Suite 1401
Indianapolis, IN 46240

Nancy Winkelman, Esq.
SCHNADER HARRISON SEGAL & LEWIS LLP
Suite 3600
1600 Market Street
Philadelphia, PA 19103

Nels Ackerson, Esq.
ACKERSON KAUFFMAN FEX, P.C.
1250 H Street, N.W.
Suite 850
Washington, DC 20004

AT&T Active - Oregon
Lane County
As of February 22, 2008



Oregon – Lane County
Descriptions of Settlement Corridor Beginning and Ending Points
As of February 22, 2008

Beaverton to Medford - BNSF

Beginning Point – 1.1 miles east of the intersection of Ayres Ln and State Hwy 99 in Lane County, Oregon.

The corridor travels southwest through the following sections:

TWN15S-RNG 4W-SEC21
TWN15S-RNG 4W-SEC28
TWN15S-RNG 4W-SEC29

The corridor then travels south through the following sections:

TWN16S-RNG 4W-SEC 5
TWN16S-RNG 4W-SEC 8
TWN16S-RNG 4W-SEC17
TWN16S-RNG 4W-SEC20
TWN16S-RNG 4W-SEC29
TWN16S-RNG 4W-SEC32

The corridor then travels southeast through the following sections:

TWN17S-RNG 4W-SEC 5
TWN17S-RNG 4W-SEC 4
TWN17S-RNG 4W-SEC 9
TWN17S-RNG 4W-SEC10
TWN17S-RNG 4W-SEC15
TWN17S-RNG 4W-SEC22
TWN17S-RNG 4W-SEC23
TWN17S-RNG 4W-SEC26
TWN17S-RNG 4W-SEC25
TWN17S-RNG 4W-SEC36

Ending Point – 150 feet west of the intersection W 5th Ave and Grant St in the City of Eugene, Lane County, Oregon.

Primary Sort: Tax Parcel Number

Count	Claim ID	Property Owner Name	Address	City	State	Zip	Property County	Tax Parcel Number	Property Address	Property Description	Railroad	Assessable	2007 Value
1	ORC000442	WEBB, JR, JAMES W	9485 AYERS RD	JUNCTION CITY	OR	97448	LANE	150429000401			BNSF	35	2,467
2	ORC000446	AYRES, ROGER A	19204 DUBBER SKYLINE DR	EAGLE RIVER	AK	99577-	LANE	150428000100	95051 AYRES LN		BNSF	86	1,755
3	ORC000448	REBSLIEV PROPERTIES LLC	220 E 18TH AVE	JUNCTION CITY	OR	97448-	LANE	150429000200			BNSF	14	1,235
4	ORC000450	REBSLIEV PROPERTIES LLC	220 E 18TH AVE	JUNCTION CITY	OR	97448-	LANE	150429000304	94809 HWY 99E		BNSF	42	3,53
5	ORC000456	FISHER, GERALD LEE	18125 WESTMINSTER DR	LAKE OSWEGO	OR	97034-	LANE	1504290001300			BNSF	90	4,35
6	ORC000458	TORREZ, EMILY; TORREZ, MANUEL	94700 HIGHWAY 99 E	JUNCTION CITY	OR	97448-	LANE	1504290001800	94700 HWY 99E		BNSF	1	43
7	ORC000457	OBERG, ROBERT F	94666 HIGHWAY 99 E	JUNCTION CITY	OR	97448-	LANE	1504290001801	94666 HWY 99E		BNSF	2	327
8	ORC000455	LANE COUNTY	125 E. 8TH AVE	EUGENE	OR	97401	LANE	1504290001900			BNSF	1	215
9	ORC000453	REBSLIEV PROPERTIES LTD	220 E 18TH AVE	JUNCTION CITY	OR	97448-	LANE	1504290002601			BNSF	88	1,785
10	ORC000469	ACTA LIMITED PARTNERSHIP	PO BOX 279	JUNCTION CITY	OR	97448-	LANE	1604052200101			BNSF	2	572
11	ORC000529	NEELY, MICHAEL DENNIS	93179 ZUMWALT LN	JUNCTION CITY	OR	97448-	LANE	1704221100600			BNSF	92	92
12	ORC000530	NEELY, MICHAEL DENNIS	93179 ZUMWALT LN	JUNCTION CITY	OR	97448-	LANE	1704221100700			BNSF	102	102
13	ORC000533	GOW, SHARON M	4993 CLARKS BRANCH RD	ROSEBURG	OR	97470-	LANE	1704221100900			BNSF	89	89
14	ORC000534	GOW, SHARON M	4993 CLARKS BRANCH RD	ROSEBURG	OR	97470-	LANE	1704221100900			BNSF	111	111
15	ORC000536	ARNOLD, BURTON L	1875 HIGHWAY 99 N	EUGENE	OR	97402-	LANE	1704221101000			BNSF	99	99
16	ORC000537	WILEY, MARVIN G	3355 N DELTA HWY UNIT 7	EUGENE	OR	97408-	LANE	1704221101200			BNSF	1	167
17	ORC000538	BUCKEYE GAS PRODUCTS CO LP	11 LIBERTY PLZ	LIBERTY	MO	64668-	LANE	1704221101300			BNSF	1	395
18	ORC000528	WILLIAM J L NEELY I-2	91165 RIVER RD	JUNCTION CITY	OR	97448-	LANE	1704221200100			BNSF	1	161
19	ORC000527	DEHOTI LLC	PO BOX 24124	EUGENE	OR	97402-	LANE	1704221200200			BNSF	196	196
20	ORC000526	DEHOTI LLC	PO BOX 24124	EUGENE	OR	97402-	LANE	1704221200300			BNSF	1	648
21	ORC000540	BAUER STORAGE LIMITED PARTNERSHIP	14855 SE 82ND DR	CLACKAMAS	OR	97015-	LANE	1704221403300			BNSF	2	423
22	ORC000545	LANE COUNTY	125 E. 8TH AVE	EUGENE	OR	97401-	LANE	1704221403301			BNSF	301	301
23	ORC000547	JACOBSON, LYNN B; JACOBSON, RICHARD A	PO BOX 21605	EUGENE	OR	97402-	LANE	1704221403305			BNSF	2	250
24	ORC000543	BAUER STORAGE LIMITED PARTNERSHIP	14855 SE 82ND DR	CLACKAMAS	OR	97015-	LANE	1704221403306			BNSF	108	108
25	ORC000544	BAUER STORAGE LIMITED PARTNERSHIP	14855 SE 82ND DR	CLACKAMAS	OR	97015-	LANE	1704221403307			BNSF	56	56
26	ORC000542	BAUER STORAGE LIMITED PARTNERSHIP	14855 SE 82ND DR	CLACKAMAS	OR	97015-	LANE	1704221403311			BNSF	108	108
27	ORC000557	1175 HIGHWAY 99N INC	33329 MCKENZIE VIEW DR	SPRINGFIELD	OR	97478-	LANE	1704233001000			BNSF	3	290
28	ORC000556	SHERMAN LEASING INC	33260 MCKENZIE VIEW DR	EUGENE	OR	97408-	LANE	1704233001100			BNSF	2	423
29	ORC000549	JACOBSON, RICHARD A	PO BOX 21605	EUGENE	OR	97402-	LANE	1704233002600			BNSF	2	328
30	ORC000550	DEBORAH BUFGINGTON COLLETT TE	1073 ELIZABETH ST	EUGENE	OR	97402-	LANE	1704233002601			BNSF	167	167
31	ORC000570	JONES, DIANA L; JONES, DONALD L	4055 ROYAL AVE SPC 86	EUGENE	OR	97402-	LANE	1704233002700			BNSF	1	147
32	ORC000571	JONES, DIANA L; JONES, DONALD L	4055 ROYAL AVE SPC 86	EUGENE	OR	97402-	LANE	1704233002800			BNSF	1	110
33	ORC000572	HENNER, MARTIN E	PO BOX 11955	EUGENE	OR	97440-	LANE	1704233002900			BNSF	1	102
34	ORC000576	DANFORTH, TIM	1041 PARK AVE	EUGENE	OR	97404-	LANE	1704233003000			BNSF	1	141
35	ORC000565	Unknown		EUGENE	OR	97404-	LANE	1704233300000			BNSF	98	98
36	ORC000560	1175 HIGHWAY 99N INC	35379 MCKENZIE VIEW DR	SPRINGFIELD	OR	97478-	LANE	1704233300200			BNSF	135	135
37	ORC000567	JELINEO, JOHN T; JELINEO, SUZANNE R	PO BOX 551	OREGON CITY	OR	97045-	LANE	1704233300400			BNSF	193	193
38	ORC000568	CURTIS, SERVE N SAVE INC	885 HIGHWAY 99 N	EUGENE	OR	97402-	LANE	1704233300500			BNSF	2	94
39	ORC000562	JELINEO, JOHN T; JELINEO, SUZANNE R	PO BOX 551	OREGON CITY	OR	97045-	LANE	1704233300800			BNSF	4	319
40	ORC000561	CHAPMAN, VIVIAN	3624 HALIFAX SQ SE	SALEM	OR	97302-	LANE	1704233300900			BNSF	1	131
41	ORC000608	REAL WOOD PRODUCTS COMPANY	90 FOCH ST	EUGENE	OR	97402-	LANE	1704260001101			BNSF	6	832
42	ORC000614	EMMAN CORP	3200 NW YEON AVE	PORTLAND	OR	97210-	LANE	1704260003600			BNSF	10	928
43	ORC000605	MARLIN J OLSEN TE	2085 TRILLIUM ST	EUGENE	OR	97405-	LANE	1704261304000			BNSF	2	76
44	ORC000603	WILSON INVESTMENTS LLC	660 WIMBLEDON CT	EUGENE	OR	97401-	LANE	1704261304500			BNSF	3	200
45	ORC000602	WILSON INVESTMENTS LLC	660 WIMBLEDON CT	EUGENE	OR	97401-	LANE	1704261304900			BNSF	83	83
46	ORC000598	WEBER PROPERTIES LIMITED PARTSHIP	PO BOX 23408	EUGENE	OR	97402-	LANE	1704261305000			BNSF	3	412
47	ORC000574	DANFORTH, TIM	1041 PARK AVE	EUGENE	OR	97404-	LANE	1704262100200			BNSF		40

Joseph and Marie Gadoni, et al. v. AT&T Corp., et al. - Oregon
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Primary Sort: Tax Parcel Number

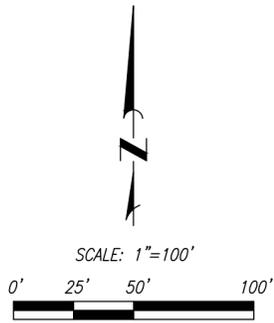
Count	Claim ID	Property Owner Name	Address	City	State	Zip	Property County	Tax Parcel Number	Property Address	Property Information	Property Description	Railroad Acre Feet	County
48	ORC000575	DANFORTH, TIM	1041 PARK AVE	EUGENE	OR	97404-	LANE	1704262100900				BNSF	131
49	ORC000577	REUPSCH, JENS	249 N LOMITA AVE	OJAI	CA	91023-	LANE	1704262100500				BNSF	106
50	ORC000578	M & J INVESTMENTS	PO BOX 1001	VENETA	OR	97487-	LANE	1704262100600				BNSF	156
51	ORC000582	BEND PROPERTIES, LLC	1500 AUTO MALL DR	SANTA ANA	CA	92705-	LANE	1704262100800				BNSF	410
52	ORC000580	M & J INVESTMENTS	PO BOX 1001	VENETA	OR	97487-	LANE	1704262100801				BNSF	302
53	ORC000583	ZELLNER, EMILY; ZELLNER, GEORGE L	PO BOX 809	EUGENE	OR	97440-0809	LANE	1704262101700				BNSF	126
54	ORC000589	BECKLEY, ZELLNER	PO BOX 809	EUGENE	OR	97440-	LANE	1704262101800				BNSF	40
55	ORC000591	BECKLEY, ROBERT C	2600 W 29TH AVE	EUGENE	OR	97405-	LANE	1704262101801				BNSF	199
56	ORC000595	BECKLEY, ROBERT C	2600 W 29TH AVE	EUGENE	OR	97405-	LANE	1704262102000				BNSF	257
57	ORC000611	REALWOOD PRODUCTS COMPANY	90 FOCH ST	EUGENE	OR	97402-	LANE	1704264100800				BNSF	442
58	ORC000439	HAMMER, JOHN P	PO BOX 2266	EUGENE	OR	97402-	LANE	1704362101201	00540 GRANT ST			BNSF	98
59	ORC000621	BEVS INVESTMENT CO	PO BOX 10242	EUGENE	OR	97440-	LANE	1704362101202				BNSF	99
60	ORC000438	C A C INVESTMENTS	PO BOX 10242	EUGENE	OR	97440-	LANE	1704362101400	01865 6TH AVE W			BNSF	104
61	ORC000437	BEVS INVESTMENT CO	PO BOX 10242	EUGENE	OR	97440-	LANE	1704362101900	01905 6TH AVE W			BNSF	97
62	ORC000436	BEVS INVESTMENT CO	PO BOX 10242	EUGENE	OR	97440-	LANE	1704362102000	00577 GARFIELD ST			BNSF	238
63	ORC000435	ZIP-O-LUMBER CO	PO BOX 2130	EUGENE	OR	97402-	LANE	1704362200100				BNSF	83
64	ORC000433	ZIP-O-LOG MILLS INC	PO BOX 2130	EUGENE	OR	97402-	LANE	1704362200201	00235 6TH AVE W			BNSF	75
65	ORC000617	HALF MOON, LLC db/a RL ACQUISITION LLC	PO BOX 25112	EUGENE	OR	97402-	LANE	1704362200202				BNSF	1,201
66	ORC000430	PHOENIX INVESTMENT PROPERTIES, LLC	PO BOX 2442	EUGENE	OR	97402-	LANE	1704362200203	02315 6TH AVE W			BNSF	254

Joseph and Marie Gadohi, et al. v. AT&T Corp., et al. - Oregon
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 Lane County
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Code	Primary Sort: Property Owner Name		Mailing Address				Property Information						
	Claim ID	Property Owner Name	Address	City	State	Zip	Property County	JAN Parcel Number	Property Address	Property Description	Railroad Assets	Total Feet	
49	ORC000608	REALWOOD PRODUCTS COMPANY	90 FOCH ST	EUGENE	OR	97402-7616	LANE	170426000101			BNSF	6	832
50	ORC000611	REALWOOD PRODUCTS COMPANY	90 FOCH ST	EUGENE	OR	97402-7616	LANE	1704264100800			BNSF	1	442
51	ORC000448	REERSLEV PROPERTIES LLC	220 E 18TH AVE	JUNCTION CITY	OR	97448	LANE	1504290000200			BNSF	14	1,235
52	ORC000450	REERSLEV PROPERTIES LLC	220 E 18TH AVE	JUNCTION CITY	OR	97448	LANE	1504290000304	94809 HWY 99E		BNSF	42	353
53	ORC000453	REERSLEV PROPERTIES LTD	220 E 18TH AVE	JUNCTION CITY	OR	97448	LANE	1504290002601			BNSF	88	1,785
54	ORC000577	REUSCH JEVS	249 N LOMITA AVE	OJAI	CA	93023	LANE	1704262100500			BNSF	1	106
55	ORC000556	SHERMAN LEASING INC	33260 MCKENZIE VIEW DR	EUGENE	OR	97408	LANE	1704233001100			BNSF	2	423
56	ORC000458	TORREZ, EMILY; TORREZ, MANUEL	94700 HIGHWAY 99 E	JUNCTION CITY	OR	97448-9618	LANE	1504290001800	94700 HWY 99E		BNSF	1	43
57	ORC000565	Unknown					LANE	1704233300000			BNSF		98
58	ORC000442	WEBB JR, JAMES W	94985 AYERS RD	JUNCTION CITY	OR	97448	LANE	1504210000401			BNSF	35	2,467
59	ORC000598	WEBER PROPERTIES LIMITED PARTSHIP	PO BOX 23408	EUGENE	OR	97402-0428	LANE	1704261305000			BNSF	3	412
60	ORC000537	WILEY, MARVIN G	3355 N DELTA HWY UNIT 7	EUGENE	OR	97408	LANE	1704221101200			BNSF	1	167
61	ORC000528	WILLIAM J NEELY 1-2	91165 RIVER RD	JUNCTION CITY	OR	97448	LANE	1704221200100			BNSF		161
62	ORC000603	WILSON INVESTMENTS LLC	660 WINIBL EDON CT	EUGENE	OR	97401	LANE	1704261304500			BNSF	3	200
63	ORC000602	WILSON INVESTMENTS LLC	660 WINIBL EDON CT	EUGENE	OR	97401	LANE	1704261304900			BNSF		83
64	ORC000585	ZELLNER, EMILY; ZELLNER, GEORGE L	PO BOX 809	EUGENE	OR	97440-0809	LANE	1704262101700			BNSF		126
65	ORC000433	ZIP-O-LOG MILLS INC	PO BOX 2130	EUGENE	OR	97402	LANE	1704362200201	02235 6TH AVE W		BNSF	7	735
66	ORC000435	ZIP-O-LUMBER CO	PO BOX 2130	EUGENE	OR	97402	LANE	1704362200100			BNSF	1	83

Count	Claim ID	Property Owner Name	Address	City	State	Zip	Property County	Trax Parcel Number	Property Address	Property Description	Railroad Agency	Roll Back
1	ORC000557	1175 HIGHWAY 99N INC	35379 MCKENZIE VIEW DR	SPRINGFIELD	OR	97478-	LANE	1704233001000			BNSF	290
2	ORC000560	1175 HIGHWAY 99N INC	35379 MCKENZIE VIEW DR	SPRINGFIELD	OR	97478-	LANE	1704233002000			BNSF	135
3	ORC000460	ARCTA LIMITED PARTNERSHIP	PO BOX 279	JUNCTION CITY	OR	97448-	LANE	1604052200101			BNSF	572
4	ORC000536	ARNOLD BURTON L	1875 HIGHWAY 99 N	JUNCTION CITY	OR	97402-	LANE	1704221101000			BNSF	99
5	ORC000446	AYRES ROGER A	19204 UPPER SKYLINE DR	EAGLE RIVER	AK	99577-	LANE	1504280000100	95051 AYRES LN		BNSF	1,755
6	ORC000540	BAUER STORAGE LIMITED PARTNERSHIP	1485 SE 82ND DR	CLACKAMAS	OR	97015-	LANE	1704221403300			BNSF	423
7	ORC000543	BAUER STORAGE LIMITED PARTNERSHIP	1485 SE 82ND DR	CLACKAMAS	OR	97015-	LANE	1704221403306			BNSF	108
8	ORC000544	BAUER STORAGE LIMITED PARTNERSHIP	1485 SE 82ND DR	CLACKAMAS	OR	97015-	LANE	1704221403307			BNSF	56
9	ORC000542	BAUER STORAGE LIMITED PARTNERSHIP	1485 SE 82ND DR	CLACKAMAS	OR	97015-	LANE	1704221403311			BNSF	108
10	ORC000591	BECKLEY, ROBERT C	2600 W 29TH AVE	EUGENE	OR	97405-	LANE	1704262101801			BNSF	199
11	ORC000595	BECKLEY, ROBERT C	2600 W 29TH AVE	EUGENE	OR	97405-	LANE	1704262102000			BNSF	257
12	ORC000589	BECKLEY, ZELNER	PO BOX 809	EUGENE	OR	97440-	LANE	1704262101800			BNSF	40
13	ORC000592	BEND PROPERTIES LLC	1500 AUTO MALL DR	SANTA ANA	CA	92705-	LANE	1704262100800			BNSF	410
14	ORC000621	BEVS INVESTMENT CO	PO BOX 10242	EUGENE	OR	97440-	LANE	1704262101202			BNSF	99
15	ORC000437	BEVS INVESTMENT CO	PO BOX 10242	EUGENE	OR	97440-	LANE	1704262101900	01905 6TH AVE W		BNSF	1
16	ORC000436	BEVS INVESTMENT CO	PO BOX 10242	EUGENE	OR	97440-	LANE	1704262102000	00577 GARFIELD ST		BNSF	228
17	ORC000538	BUCKEYE GAS PRODUCTS CO LP	11 DIBERY PLZ	LIBERTY	MO	64068-	LANE	1704221101300			BNSF	395
18	ORC000438	C A C INVESTMENTS	PO BOX 10242	EUGENE	OR	97440-	LANE	1704262101400	01865 6TH AVE W		BNSF	104
19	ORC000561	CHAUMAN VIVIAN	3624 HALIFAX SQ SE	SALEM	OR	97302-	LANE	1704233300900			BNSF	1
20	ORC000568	CURTIS SERVE N SA VE INC	885 HIGHWAY 99 N	EUGENE	OR	97402-	LANE	1704233300500			BNSF	2
21	ORC000576	DANFORTH, TIM	1041 PARK AVE	EUGENE	OR	97404-	LANE	1704233003000			BNSF	141
22	ORC000576	DANFORTH, TIM	1041 PARK AVE	EUGENE	OR	97404-	LANE	1704262100200			BNSF	40
23	ORC000575	DANFORTH, TIM	1041 PARK AVE	EUGENE	OR	97404-	LANE	1704262100400			BNSF	131
24	ORC000550	DEBORAH BUFFINGTON COLLETT JE	1073 ELIZABETH ST	EUGENE	OR	97402-	LANE	1704233002601			BNSF	167
25	ORC000527	DEHOTI LLC	PO BOX 24124	EUGENE	OR	97402-	LANE	1704221200200			BNSF	196
26	ORC000526	DEHOTI LLC	PO BOX 24124	EUGENE	OR	97402-	LANE	1704221200300			BNSF	648
27	ORC000614	EDMAN CORP	3200 NW YEON AVE	PORTLAND	OR	97210-	LANE	1704260003600			BNSF	10
28	ORC000456	FISHER, GERALD LEE	18125 WESTMINSTER DR	LAKE OSWEGO	OR	97034-	LANE	1504290001300			BNSF	435
29	ORC000533	GW, SHARON M	4993 CLARKS BRANCH RD	ROSEBURG	OR	97470-	LANE	1704221100800			BNSF	89
30	ORC000534	GW, SHARON M	4993 CLARKS BRANCH RD	ROSEBURG	OR	97470-	LANE	1704221100900			BNSF	111
31	ORC000617	HALF MOON, LLC d/b/a RL ACQUISITION, LLC	PO BOX 25112	EUGENE	OR	97402	LANE	1704362200202			BNSF	1,201
32	ORC000439	HAMMER, JOHN P	PO BOX 2266	EUGENE	OR	97402-	LANE	1704262101201	00540 GRANT ST		BNSF	98
33	ORC000572	HENNER, MARTIN E	PO BOX 11955	EUGENE	OR	97440-	LANE	1704233002900			BNSF	102
34	ORC000547	JACOBSON, LYNN B; JACOBSON, RICHARD A	PO BOX 21605	EUGENE	OR	97402-	LANE	1704221403305			BNSF	2
35	ORC000549	JACOBSON, RICHARD A	PO BOX 21605	EUGENE	OR	97402-	LANE	1704233002600			BNSF	328
36	ORC000567	JELINEO, JOHN T; JELINEO, SUZANNE R	PO BOX 551	OREGON CITY	OR	97045-	LANE	1704233300400			BNSF	193
37	ORC000562	JELINEO, JOHN T; JELINEO, SUZANNE R	PO BOX 551	OREGON CITY	OR	97045-	LANE	1704233300800			BNSF	319
38	ORC000570	JONES, DIANA L; JONES, DONALD L	4055 ROYAL AVE SPC 86	EUGENE	OR	97402-	LANE	1704233002700			BNSF	147
39	ORC000571	JONES, DIANA L; JONES, DONALD L	4055 ROYAL AVE SPC 86	EUGENE	OR	97402-	LANE	1704233002800			BNSF	110
40	ORC000455	LANE COUNTY	125 E. 8TH AVE	EUGENE	OR	97401	LANE	1504290001900			BNSF	215
41	ORC000545	LANE COUNTY	125 E. 8TH AVE	EUGENE	OR	97401-	LANE	1704221403301			BNSF	301
42	ORC000578	M & J INVESTMENTS	PO BOX 1001	VENETA	OR	97487-	LANE	1704262100600			BNSF	156
43	ORC000580	M & J INVESTMENTS	PO BOX 1001	VENETA	OR	97487-	LANE	1704262100800			BNSF	302
44	ORC000605	MARLIN J OLSEN TE	2085 TRILLIUM ST	EUGENE	OR	97405-	LANE	1704261304000			BNSF	76
45	ORC000539	NEELY, MICHAEL DENNIS	93179 ZUMWALT LN	JUNCTION CITY	OR	97448-	LANE	1704221100600			BNSF	92
46	ORC000550	NEELY, MICHAEL DENNIS	93179 ZUMWALT LN	JUNCTION CITY	OR	97448-	LANE	1704221100700			BNSF	102
47	ORC000457	OBBERG, ROBERT F	94666 HIGHWAY 99 E	JUNCTION CITY	OR	97448-	LANE	1504290001801	94666 HWY 99E		BNSF	327
48	ORC000430	PHOENIX INVESTMENT PROPERTIES LLC	PO BOX 2442	EUGENE	OR	97402-	LANE	1704262200203	02315 6TH AVE W		BNSF	254

PRELIMINARY MINOR PARTITION PLAT
KEITH CORP
 S.W. 1/4 SECTION 29, T. 15 S., R. 4 W., W.M.
 JUNCTION CITY, LANE COUNTY, OREGON
 SURVEYED: OCTOBER 3, 2017

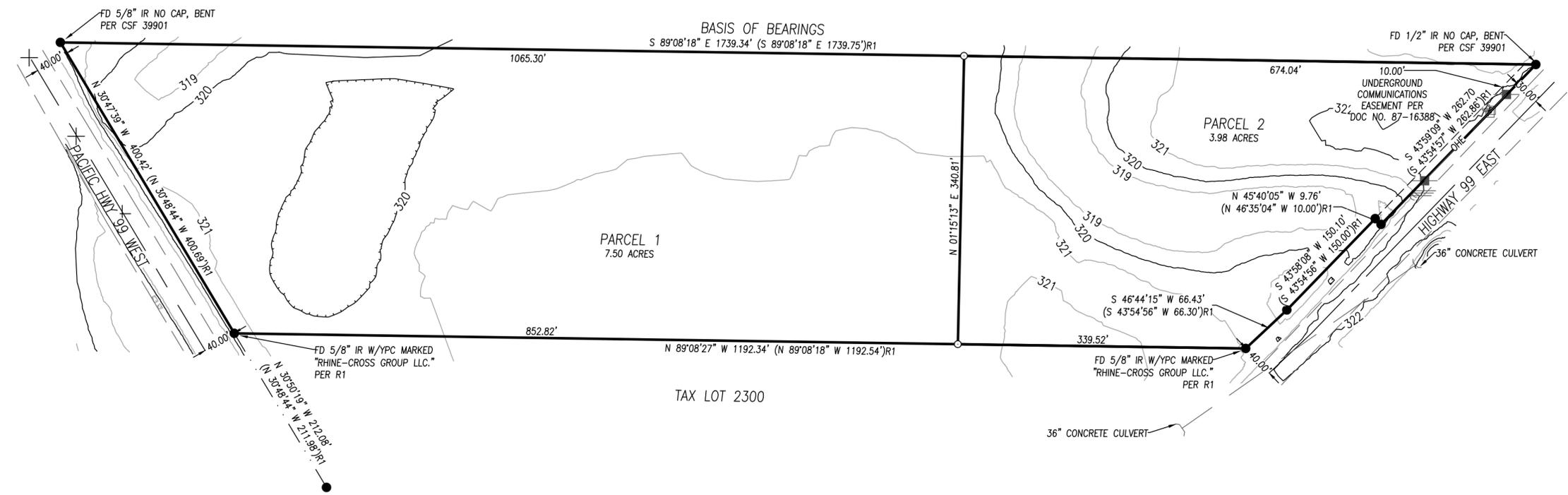


LEGEND

—	EXISTING BOUNDARY LINE	(---)	RECORD/REFERENCE DATA
- - -	EXISTING EASEMENT LINE	I.R.	IRON ROD
—	EXISTING CENTERLINE	CSF	COUNTY SURVEY FILE
—	EXISTING ASPHALT	PUE	PUBLIC UTILITY EASEMENT
- T - T -	EXISTING TELEPHONE LINE	■	EXISTING POWERPOLE
- ST - ST -	EXISTING STORM DRAIN LINE	⊖	EXISTING GUY ANCHOR
- WW - WW -	EXISTING WASTE WATER LINE	⊕	EXISTING PHONE RISER
- OHE - OHE -	EXISTING OVERHEAD ELECTRIC LINE	⊙	EXISTING PHONE MANHOLE
- W - W -	EXISTING WATER LINE	()	EXISTING CULVERT
~	EXISTING 1' CONTOUR LINE		

REFERENCES

(R1) CSF 44064, CROSS- AUG 2017



GENERAL NOTES

1. THE PROPERTY IS LOCATED IN ZONE A AND ZONE X ON FIRM MAP 41039C0602F AND IS IN AN AREA DETERMINED IN A 100-YEAR FLOOD, BASE FLOOD ELEVATION IS 320.67 FEET.
2. ELEVATIONS BASED LANE COUNTY VERTICAL BENCHMARK #157. A METAL ROD SET IN THE GROUND VERTICAL DATUM IS NAVD 1988.
3. THE PAVING WIDTH OF HIGHWAY 99 EAST IS 34 FEET. THE PAVING WIDTH OF HIGHWAY 99 WEST 40.15 FEET.
4. PRIMARY ACCESS WILL BE TAKEN FROM THE PROPERTY TO THE SOUTH, WHEN ITS DEVELOPED. NO ACCESS WILL BE TAKEN FROM HWY 99 EAST.
5. THIS PARCEL'S CONFIGURATION IS THE RESULT OF A PROPERTY LINE ADJUSTMENT FILED AS CSF #44064.
6. THIS SITE WILL ACCESS UTILITIES BEING PROVIDED ON TAX LOT 2300, TO THE SOUTH OF THIS PARCEL.

SURVEYOR

LAWRENCE OLSON
 L.B. OLSON & ASSOCIATES INC.
 380 Q STREET SUITE 200 SPRINGFIELD OR 97477
 (541) 302-9790

REGISTERED
 PROFESSIONAL
 LAND SURVEYOR

OREGON
 JULY 10, 1964
 LAWRENCE B. OLSON
 655

RENEWS: 12-31-2018

TO: Planning Commission
FROM: Planning Department
RE: March Planning Activities



Land Use Application and Planning Project Status

- Current Planning related projects include:
 - An appeal has been submitted by the legal representative of West Linn Corp, LLC regarding the recently approved Reserve Phase-III Subdivision application. The appeal application asks for the City to remove Planning Commission conditions 8, 9, and 11, which require Department of State Lands approval for any impacted wetlands, State Historic Preservation Office approval for the use of the donated lands for recreational purposes, and Land County Public Works approval of a facility permit as it relates to the use of Oaklea Drive (a County owned and maintained facility). The appeal will go before the Council on March 27.
 - Building Permits have been submitted for the Grocery Outlet and Farm Based Credit Union at the Y-Property. Civil plans were also submitted for the extension of City infrastructure, which are currently under review. Staff hopes to have the permits issued by the end of April.
 - A partition application has been received for 3 residential parcels between 1st and 2nd Avenues, west of Birch Street and east of the Winnebago campus. This is a land division in addition to the previous Szerlip partition request, ultimately dividing the original large parcel into smaller infill type residential lots. The application will come before the Planning Commission at the standing April meeting.
 - Staff is currently processing a Subdivision application for the 10th and Oaklea property, east of the approved Reserve Phase-III. The proposal includes a total of five lots, with four of the proposed parcels being duplex size lots along 11th Avenue, continuing the residential character as previously approved. The application will also come before the Planning Commission at the standing April meeting.

City Council Update

- The City Council has reviewed the Ordinance for proposed changes to the Junction City Municipal Code regarding the Off-Street Parking and Loading standards. The Council voted to approve an Ordinance redefining functional floor area and allowing reduction based on specific criteria, rather than allowing reductions as a right of development. However, the approval included changes to the original language, omitting commercial and residentially zoned developments from the parking reduction language.
- The Council also reviewed the Planning Commission recommendation for the Boarding Rooming and lodging house code text amendment application submitted by Corey Walker. The Council heard and deliberated the issue over three meetings, and chose to amend the Definition based on the Planning Commission recommendation, while omitting the use in the C2 Zone from the approved Ordinance. The Council consensus was to have Staff bring additional information on the use type to the CDC for review and recommendation. The application process for the proposed amendment is now complete, and any further action on the issue will be at the City's direction.
- The City Administrator presented a proposal for an In-House Building Official to the Council at the standing March 13 meeting. The Council voted in favor of the creation of a new Building Official position, and authorized Staff to move forward with the hiring process.

Future Action Items

- SUB-18-01 – EEC Holding – Preliminary Subdivision
- MP-18-02 – Szerlip – Preliminary Partition

Planning Commission

- No new applications have been received for the vacant Planning Commission Alternate position. Staff will bring any newly submitted applications to the Commission as they become available. The posting will remain open until filled.

Building Activities:

- Staff encourages all Commissioners to visit the Planning and Building Office to review the current building activity within Junction City.



PLANNING COMMISSION

AGENDA FORECASTER

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CURRENT BUSINESS ITEMS

Current Business Items

Item MP-18-01 – Keith Corp – Preliminary Partition

Requested By Applicant

Staff Contact Planner Cogburn

Date Last at Commission N/A

Item Description

This is a new request for the Partition of a single parcel into 2 legal lots.

Current Status/Update

This is a new review of a submitted application.

PENDING BUSINESS ITEMS

Pending Business Items

Item Planning Commission Alternate Vacancy

Date Last at Commission 10/16

Item Description

A Planning Commission Alternate Position vacancy currently exists.

Current Status/Update

Applications are currently being accepted regarding the vacant position. To date, no new applications have been received. Staff will bring any newly submitted applications to the Planning Commission as they become available.

FUTURE BUSINESS ITEMS

Future Business Items

<u>Item</u>	EEC Holdings – Preliminary Subdivision
<u>Requested By</u>	Applicant
<u>Item Description</u>	
Review of a 5-lot Subdivision.	

<u>Item</u>	Szerlip – Preliminary Partition
<u>Requested By</u>	Applicant
<u>Item Description</u>	
Review of a 3-parcel Partition.	

2018 Planning Commission Calendar

- Packets Available Date
- Meeting Date
- Holidays Observed

JANUARY

S	M	T	W	T	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

FEBRUARY

S	M	T	W	T	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28			

MARCH

S	M	T	W	T	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

APRIL

S	M	T	W	T	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30					

MAY

S	M	T	W	T	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

JUNE

S	M	T	W	T	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30

JULY

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15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

AUGUST

S	M	T	W	T	F	S
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12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

SEPTEMBER

S	M	T	W	T	F	S
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9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30						

OCTOBER

S	M	T	W	T	F	S
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7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

NOVEMBER

S	M	T	W	T	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	

DECEMBER

S	M	T	W	T	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					